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Monday
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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

FEDERAL DEPOSIT INSURANCE CORPORATION

5 CFR Chapter XXII

12 CFR Part 336

RIN 3064–AA07, 3209–AA00 and 3209–AA16

Supplemental Requirements for Financial Disclosure, Qualified Trusts, and Certificates of Divestiture for Employees of the Federal Deposit Insurance Corporation

AGENCY: The Federal Deposit Insurance Corporation, (FDIC).

ACTION: Interim rule with request for comments.

SUMMARY: The Federal Deposit Insurance Corporation (the Corporation), with the concurrence of the Office of Government Ethics (OGE), is issuing interim financial disclosure requirements for officers and employees of the Corporation. This interim rule revokes the Corporation's current financial disclosure regulations and promulgates substantially similar regulations, which are designed to supplement the Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture requirements issued by OGE.

DATES: This interim rule is effective July 26, 1993. Comments are invited and must be received on or before September 24, 1993.

ADDRESSES: Send comments to Hoyle L. Robinson, Executive Secretary, Attention: Room F–400, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429. Comments may be hand delivered to room F–402, 1776 F Street, NW., Washington, DC between 8:30 a.m. and 5 p.m. on business days. [FAX number: (202) 898–3838.] Comments will be available for inspection in the FDIC Reading Room, room 7118, 550 17th Street, NW., Washington, DC on business days between 9 am and 4:30 pm.

FOR FURTHER INFORMATION CONTACT: Katherine A. Corigliano, Assistant Executive Secretary (Ethics), (202) 898–7272, or Richard M. Handy, Ethics Program Manager, (202) 898–7271, Office of the Executive Secretary, 1776 F Street, NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

I. Background

On April 7, 1992, OGE published, for codification at 5 CFR part 2634, an interim rule pertaining to Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture, which revised the public and confidential financial disclosure systems for executive branch employees, pursuant to title I of the Ethics in Government Act of 1978 (Pub. L. 95–521, as amended). See 57 FR 11800–11830 (April 7, 1992), as corrected at 57 FR 21854–21855 (May 22, 1992) and 57 FR 62605 (December 31, 1992). Pursuant to 5 CFR 2634.103, executive agencies are authorized to publish supplemental regulations as necessary to address special or unique agency circumstances, subject to OGE concurrence. This interim rule is necessary to supplement, for the Corporation, the financial disclosure requirements issued by OGE because it implements statutory restrictions which, though not generally applicable to employees of the executive branch, are expressly applicable to certain holdings and financial interests of Corporation officers and employees. In addition to implementing statutory restrictions, the interim rule addresses reporting relating to potential conflicts of interest unique to the Corporation's role as an insurer of Federal depository institutions and as primary and secondary regulator of member institutions of the Bank Insurance Fund and the Savings Association Insurance Fund. Also accomplished by the interim rule is the added designation of FDIC Form 2410/05 to the new SF 450, Confidential Financial Disclosure Report for purposes of meeting the operational needs of the Corporation's Employee Ethics Program.

The interim rule continues the Corporation's Employee Ethics Program requirements for disclosure:

(1) By all employees of interests in securities of Corporation insured depository institutions;

(2) By covered employees of indebtedness; and

(3) By covered employees of credit card obligations in insured state nonmember banks. The interim rule provides for the discontinuation of a requirement that covered employees file a report of employment upon resignation from the Corporation to accept employment in the private sector.

Unique Corporation specific circumstances exist in the provisions of 12 U.S.C. 1812(e)(2)(B), which prohibits any member of the Corporation's Board of Directors from holding stock in any insured depository institution or depository institution holding company as well as from holding a position as an officer or director of any insured depository institution, depository institution holding company, Federal Reserve bank, or Federal home loan bank. Although not driven by statute, the Corporation's Board of Directors, because of the Corporation's role as insurer and primary and secondary regulator of depository institutions, has historically made applicable to all employees a prohibition against the acquisition, during the terms of their employment, of securities of depository institutions insured by the Corporation and a requirement for recusal from matters affecting an institution, the securities of which an employee acquired prior to his or her Corporation employment or, in certain instances, the date of enactment of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). Enforcement of the aforementioned prohibitions is accomplished by a requirement for the completion by all the Corporation's new entrants of FDIC Form 2410/07, "Interest in Securities of FDIC Insured Depository Institutions." This requirement will be continued under this interim rule.

In addition, sections 212 and 213 of title 18 of the United States Code prohibit the offer of certain loans and gratuities to, and the acceptance of certain loans and gratuities by, examiners of federally insured depository institutions, including those employed by the Corporation. The Corporation's Board of Directors has historically required that certain

employees recuse themselves from participation in any matter involving an insured depository institution from which they have extensions of credit and prohibited certain employees from borrowing from certain classes of creditors. Enforcement of these restrictions and prohibitions is accomplished by requiring appointive directors, officers, certain senior employees, all bank examiners, and other designated employees to file FDIC Form 2410/06, "Confidential Report of Indebtedness" and designated employees of the Division of Supervision to file FDIC Form 2410/10, "Statement of Credit Card Obligation in Insured State Nonmember Bank and Acknowledgement of Conditions for Retention-Notice of Disqualification."

Pursuant to 12 U.S.C. 1819(a), the Corporation has independent statutory authority to issue regulations to implement the prohibitions set forth in section 2 of the Federal Deposit Insurance Act and 18 U.S.C. 212 and 213. Nevertheless, the Corporation has determined, because of the obvious relationship of these prohibitions to regulations implemented by OGE, to include the collection of disclosure forms necessary to enforce the prohibitions in supplemental regulations issued under 5 CFR part 3202, an approach with which OGE agrees. The Corporation is also hereby revoking its old reporting requirements contained in 12 CFR 336.24–336.28. Until issuance of a separate supplemental standards regulation, the Corporation is temporarily retaining, in 12 CFR part 336, its existing standards of conduct regulations (with an updated authority citation), which for the most part have been superseded by OGE's Standards of Ethical Conduct for executive branch employees, as codified at 5 CFR part 2635.

In addition to the aforementioned reporting requirements, the Corporation has in the past required that employees resigning from the Corporation to accept employment in the private sector complete a "Confidential Report Of Employment Upon Resignation," FDIC Form 2410/08. The report required the disclosure of information concerning an employee's prospective employer, the nature of its business or activities, the position to be occupied by the employee, the dates of negotiation for the employment, and the employee's official involvement, if any, with the prospective employer. The purpose of the report was to ensure employee compliance with criminal conflict of interest provisions governing the negotiation of employment (18 U.S.C. 208) and post-employment activities (18 U.S.C. 207). However, the Corporation has learned from experience that enforcement of the reporting requirement is difficult and that the information obtained has little value. Since the burden of this particular information collection has outweighed its benefits, the interim rule, by its revocation of 12 CFR 336.26, discontinues the requirement for filing a confidential report of employment upon resignation.

II. Analysis of Regulation

Section 3202.101 General Provisions

Section 3202.101 sets forth general information regarding the purpose of this supplemental Corporation regulation, identifies with whom the reports required by this part must be filed, and provides notice of the retention schedule for the reports collected and their lack of availability to the general public.

Section 3202.102 Confidential Financial Disclosure Reports (SF 450, FDIC Form 2410/05)

Section 3202.102 adds the designation of FDIC Form 2410/05 to the SF 450, Executive Branch Personnel Confidential Financial Disclosure Report, to accommodate the Corporation's need for a three-part document.

Section 3202.103 Confidential Report of Interest in FDIC-Insured Depository Institution Securities (FDIC Form 2410/07)

Section 3202.103 imposes upon all Corporation employees a requirement to file a report of any direct or indirect interest in the securities of depository institutions insured by the Corporation. In addition, this section identifies the circumstances which give rise to the filing requirement, briefly describes the type of information which is required to be disclosed, and requires a certification that the employee has read and understands the rules governing ownership.

Section 3202.104 Confidential Report of Indebtedness (FDIC Form 2410/06)

Section 3202.104 identifies those Corporation employees who are required to file a confidential report of indebtedness, specifies when the report must be filed, and briefly describes the type of information which must be disclosed.

Section 3202.105 Confidential Statement of Credit Card Obligation in Insured State Nonmember Bank and Acknowledgement of Conditions of Retention—Notice of Disqualification (FDIC Form 2410/10)

Section 3202.105 identifies the employees who must meet the filing requirement, the circumstances which give rise to the reporting requirement, the time period within which the reporting requirement must be met, and a brief description of the information which must be disclosed.

III. Matters of Regulatory Procedure

Administrative Procedure Act

The Board of Directors has found good cause pursuant to 5 U.S.C. 553(b) for waiving, as unnecessary and contrary to the public interest, the general notice of proposed rulemaking and the 30-day delay in effectiveness as to these interim rules and repeal. The reason for this determination is that it is important to a smooth transition from the Corporation's prior disclosure rules to the new executive branch-wide financial disclosure regulations that these rulemaking actions take place as soon as possible. Furthermore, this rulemaking is related to the Corporation's organization, procedure and practice.

Nonetheless, this is an interim rulemaking, with provision for a 60 day public comment period. The Federal Deposit Insurance Corporation will review all comments received during the comment period and will consider any modifications that appear appropriate in adopting these rules as final, with the concurrence of the Office of Government Ethics.

Regulatory Flexibility Act

The Board of Directors has concluded that the interim rule will not impose a significant economic hardship on small institutions. The Board of Directors therefore hereby certifies pursuant to section 605 of the Regulatory Flexibility Act (5 U.S.C. 605) that the interim rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.).

Paperwork Reduction Act

The Board of Directors has determined that this regulation does not contain any information collection requirements that require the approval of the Office of Management and Budget pursuant to the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects

5 CFR Part 3202

Administrative practice and procedure, Conflict of interests, Financial disclosure, Privacy, Reporting and recordkeeping requirements.

12 CFR Part 336

Conflict of interests.

For the reasons set forth in the preamble, the Federal Deposit Insurance Corporation, in concurrence with the Office of Government Ethics, is amending title 5 of the Code of Federal Regulations and title 12, chapter III, part 336, of the Code of Federal Regulations, as follows:

TITLE 5—[AMENDED]

1. A new chapter XXII consisting of Part 3202 is added to title 5 of the Code of Federal Regulations to read as follows:

5 CFR CHAPTER XXII—FEDERAL DEPOSIT INSURANCE CORPORATION

PART 3202—SUPPLEMENTAL FINANCIAL DISCLOSURE REQUIREMENTS FOR EMPLOYEES OF THE FEDERAL DEPOSIT INSURANCE CORPORATION

Sec.

3202.101 General Provisions.
3202.102 Confidential Financial Disclosure Reports (SF 450, FDIC Form 2410/05).
3202.103 Confidential Report of Interest in FDIC Insured Depository Institution Securities (FDIC Form 2410/07).
3202.104 Confidential Report of Indebtedness (FDIC Form 2410/06).
3202.105 Confidential Statement of Credit Card Obligation in Insured State Nonmember Bank and Acknowledgement of Conditions of Retention—Notice of Disqualification (FDIC Form 2410/10).

Authority: 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); 12 U.S.C. 1819(a); 26 U.S.C. 1043; E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR 2634.103.

§ 3202.101 General provisions.

(a) *Purpose.* This part establishes for officers and employees of the Federal Deposit Insurance Corporation (the Corporation) financial disclosure requirements in addition to the public and confidential financial disclosure reports required pursuant to 5 CFR part 2634, subparts B and I. This part also provides for the added designation of FDIC Form 2410/05 to the SF 450, Confidential Financial Disclosure Report.

(b) *Filing requirements.* The reporting individual shall file the financial disclosure and other reports required under 5 CFR part 2634 and §§ 3202.102–3202.105 with his or her assigned Deputy Ethics Counselor.

(c) *Custody and denial of public access.*

(1) Any report filed with the Corporation under §§ 3202.102–3202.105 shall be retained by the Corporation for a period of six years after receipt. After the six-year period, the report shall be destroyed unless needed in an ongoing investigation. See also FDIC Employee Financial Disclosure Statements Privacy Act system of records (1 FDIC Law, Regulations, and Related Acts (FDIC) 2209); see also the OGE/GOVT–2 Privacy Act system of records, for the reports filed under § 3202.102.

(2) The reports filed pursuant to §§ 3202.102–3202.105 are confidential. No member of the public shall have access to such reports, except pursuant to the order of a Federal court or as otherwise provided under the Privacy Act. See 5 U.S.C. 552a and the FDIC Employee Financial Disclosure Statements Privacy Act system of records.

§ 3202.102 Confidential Financial Disclosure Reports (SF 450, FDIC Form 2410/05).

The SF 450, Executive Branch Personnel Confidential Financial Disclosure Report, will also carry FDIC Form Number 2410/05. The structure and operations of the Corporation's Employee Ethics Program dictate that the form be printed in three parts, consisting of an original and two self copies.

§ 3202.103 Confidential Report of Interest in FDIC Insured Depository Institution Securities (FDIC Form 2410/07).

(a) *Who must file/when.* All FDIC employees shall file an FDIC Form 2410/07 (Report of Interest in FDIC Insured Depository Institution Securities) within 30 days of the date of entrance on duty. Thereafter, an updated FDIC Form 2410/07 shall be filed only if:

(1) An interest in an FDIC insured depository institution is acquired subsequent to the commencement of employment through a change in marital status or by gift, inheritance, or other personal circumstances beyond an employee's control, in which case an employee shall file FDIC Form 2410/07 within 30 days of acquiring the interest; or

(2) A previously acquired interest in a non-FDIC insured entity becomes an interest in an FDIC insured depository institution as the result of merger, acquisition, or other change in corporate ownership, or change in insurance status, in which case an employee shall file FDIC Form 2410/07 within 30 days of the entity's conversion to an FDIC insured status; or

(3) An employee divests himself or herself of a previously reported interest in FDIC decision or an FDIC insured depository institution, in which case an employee shall file FDIC Form 2410/07 as soon as possible after divestiture to facilitate the removal of any related disqualifications.

(b) *Report contents.* Each report filed pursuant to this section shall include:

(1) In part I:

(i) A brief description of any direct or indirect interest in the securities of an FDIC insured depository institution or affiliate, including a depository institution holding company, and the date and manner of acquisition or divestiture; and

(ii) A brief description of any direct or indirect continuing financial interest through a pension or retirement plan, trust or other arrangement, including arrangements resulting from any current or prior employment or business association, with any FDIC insured depository institution, affiliate, or depository institution holding company; and

(2) In part II, a certification acknowledging that the employee has read and understands the statements and instructions contained therein.

§ 3202.104 Confidential Report of Indebtedness (FDIC Form 2410/06).

(a) *Who must file/when.* Within 30 days of entrance on duty and annually thereafter, a confidential report of indebtedness must be filed:

(1) As a supplement to the Public Financial Disclosure Report (SF 278), by:

(i) Members of the Board of Directors, except the Comptroller of the Currency and the Director of the Office of Thrift Supervision;

(ii) Any assistant or deputy to the Board of Directors or to an individual board member or any assistant to assistant or deputies to the Board of Directors or to individual Board members except persons employed by the Office of the Comptroller of the Currency or the Office of Thrift Supervision; and

(iii) Division and office heads and persons immediately subordinate thereto;

(2) As a supplement to the Executive Branch Personnel Confidential Financial Disclosure Report (SF 450, FDIC Form 2410/05), by:

(i) Persons employed by the Division of Supervision as bank examiners in job

series 570; compliance examiners in job series 301; and

(ii) All other employees of the Division of Supervision and the Division of Resolutions at or above the grade 13.

(b) *Report contents.* Each confidential report of indebtedness filed pursuant to this section shall include:

(1) In part I, information on any indebtedness of the employee, his or her spouse, and/or dependent child, which is evidenced by a credit card issued by an FDIC insured depository institution, including the type of card, the year of receipt, the name and location of the issuer, and the total line of credit, regardless of the amount outstanding; and

(2) In part II, information on other indebtedness of the employee, his or her spouse, and/or dependent child, at any time during the reporting period and regardless of amount, to a federally insured financial institution, or any subsidiary or affiliate thereof, including mortgages and other consumer debt not reported in part I. With respect to each creditor, an employee shall disclose the type of liability, the name and location of the creditor, the year the debt was incurred, the term of the loan, and either the original or outstanding balance.

§ 3202.105 Confidential Statement of Credit Card Obligation in Insured State Nonmember Bank and Acknowledgement of Conditions of Retention—Notice of Disqualification (FDIC Form 2410/10).

(a) *Who must file/when.* Within 30 days of acquiring a credit card obligation to an insured state nonmember bank headquartered outside of the employee's region of employment, a "Statement of Credit Card Obligation in Insured State Nonmember Bank and Acknowledgement of Conditions of Retention-Notice of Disqualification," FDIC Form 2410/10, must be filed by:

(1) The Executive Director of the Divisions of Supervision and Resolutions;

(2) The Director of Supervision;

(3) The holder of any position immediately subordinate to the Director of Supervision;

(4) An Assistant Director, Regional Director, Deputy Regional Director, or an Assistant Regional Director; and

(5) An examiner, assistant examiner, compliance examiner, or other covered employee of the Division of Supervision at or above a grade 13 level.

(b) *Report contents.* Each statement filed pursuant to this section shall disclose the name of any Corporation insured state nonmember depository institution outside of the employee's region of assignment from which he or she has received a credit card and shall include certification that the credit cards listed were obtained only under such terms and conditions as are available to the general public, that the line of credit does not exceed $10,000, and that the employee is aware of and understands the requirement for self-disqualification from participation in matters affecting the creditors identified.

By Order of the Board of Directors.

Dated at Washington, DC this 24th day of November, 1992.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

Approved: July 14, 1993.

Stephen D. Potts,

Director, Office of Government Ethics.

12 CFR CHAPTER III—[AMENDED]

PART 336—EMPLOYEE RESPONSIBILITIES AND CONDUCT

1. The authority citation for part 336 is revised to read as follows:

Authority: 5 U.S.C. 7301; 12 U.S.C. 1819(a); sec. 502(a), E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; E.O. 11222, 3 CFR, 1964–1965 Comp., p. 306, as modified; 5 CFR 2635.403(a), 2635.803, 2637.101(a).

2. Part 336 is amended by removing and reserving subpart D, §§ 336.24–336.28.

By Order of the Board of Directors.

Dated at Washington, DC this 24th day of November, 1992.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 93–17612 Filed 7–23–93; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 40, 70, and 72

RIN 3150–AD98

Decommissioning Recordkeeping and License Termination: Documentation Additions

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to require holders of a specific license for possession of certain byproduct material, source material, special nuclear material, or for independent storage of spent nuclear fuel and high-level radioactive waste to prepare and maintain additional documentation that identifies all restricted areas where licensed materials and equipment were stored or used, all areas outside of restricted areas where documentation is required under current decommissioning regulations for unusual occurrences or spills, all areas outside of restricted areas where waste has been buried, and all areas outside of restricted areas containing material such that if the license were terminated, the licensee would be required to decontaminate the area or seek special approval for disposal. The final rule also requires licensees to submit specific information at the time of final decommissioning on decontaminated equipment that had been involved in the licensed activity that will remain onsite at the time of license termination. The information required by these amendments will provide greater assurance that decontamination and decommissioning of licensee facilities have been carried out in accordance with the Commission's regulations.

EFFECTIVE DATE: October 25, 1993.

FOR FURTHER INFORMATION CONTACT: Dr. Carl Feldman, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492–3883.

SUPPLEMENTARY INFORMATION:

Background

NRC licensees subject to the requirements of 10 CFR Parts 30, 40, 70, and 72 who wish to terminate their licenses must decontaminate all contaminated facilities and sites according to NRC requirements before the NRC can authorize the termination of the license. Therefore, the licensee's application for license termination, and other records on decommissioning available from the licensee, must contain sufficient information on the residual radioactivity levels in the licensee's facilities and sites to allow the NRC staff to make a determination on whether the licensee's facilities and sites can be released for unrestricted use.

A General Accounting Office (GAO) report, "NRC Decommissioning Procedures and Criteria Need to Be Strengthened" (GAO/RCED–89–119, May 26, 1989), indicated incomplete recordkeeping as a potential problem. The issue was also discussed by the NRC at the hearing before the Energy and Environment Subcommittee of the House Committee on Interior and

Insular Affairs, chaired by Congressman Mike Synar of Oklahoma (Synar Subcommittee) on August 3, 1989. Both the GAO report and the Synar Subcommittee were concerned that, because of poor or insufficient knowledge as to the location within a licensee's site where licensee activities were conducted, the NRC could terminate a license and release facilities and sites for unrestricted use which may remain partially contaminated at levels which would be unacceptable. Currently, NRC's rules on decommissioning recordkeeping (10 CFR 30.35(g), 40.36(f), 70.25(g), and 72.30(d)) specifically require licensees to keep certain records important to the safe and effective decommissioning of the facility in an identified location until the license is terminated by the Commission. These records include drawings of structures and equipment in restricted areas where radioactive materials were used or stored, documentation identifying the location of inaccessible residual contamination, and detailed descriptions of unusual occurrences or spills of radioactive materials that can affect decommissioning. In addition, NRC's rules (10 CFR 20.2108) require licensees to maintain records on the location and radionuclide content of waste burial areas until license termination. However, these rules are not sufficiently explicit to ensure that all relevant areas of possible contamination will be identified at the actual time of decommissioning. For example, the licensee is not specifically required to list (1) all areas designated and formerly designated as restricted areas; (2) all areas outside of restricted areas that require documentation under the current decommissioning rules; (3) all areas outside of restricted areas where radioactive waste has been buried and require documentation under the current rules; (4) all areas outside of restricted areas which contain radioactive material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval of disposal (e.g. tailings piles); and (5) the location and description of equipment to remain onsite after license termination that was considered to be radioactively contaminated when final decommissioning was initiated. Yet the NRC will need to know of the existence and location of these areas and equipment in order to perform its confirmatory survey.

On October 7, 1991 (56 FR 50524), the NRC published a notice of proposed rulemaking in the **Federal Register**. The purpose of this proposed rulemaking was to clarify and make more explicit the recordkeeping and documentation requirements specified in the recently enacted decommissioning amendments (June 27, 1988, 53 FR 24018). The proposed rule would have required licensees to maintain in a single document and certify for completeness and accuracy, a list of the following:

(1) All onsite areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(2) All onsite areas, other than restricted areas, where radioactive materials in quantities greater than amounts listed in Appendix C to §§ 20.1001–20.2401 of 10 CFR part 20 are or have been used, possessed or stored;

(3) All onsite areas, other than restricted areas, where spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site have occurred that required reporting pursuant to § 30.50 (b)(1) or (b)(4), including areas where subsequent cleanup procedures have removed the contamination; and

(4) All known locations and radionuclide contents of previous and current burial areas within the site.

Areas that contained byproduct material having half-lives of 10 days or less, or depleted uranium used only for shielding or as penetrators in unused munitions, or sealed sources authorized to be used at "temporary job sites" outside of the licensee's permanent facility and site boundary as specified in the license would not have had to be listed.

The proposed rule also would have required licensees who are required to submit a decommissioning plan, to submit this list as part of their plan. Finally, the proposed rule would have required that the above list include the location and description of all equipment, involved in the licensed operation, that is to remain onsite after license termination.

The comment period on the proposed rule expired December 23, 1991. Public comments were received on the proposed rule and are available for public inspection and copying for a fee at the Commission's Public Document Room, located at 2120 L Street, NW. (Lower Level), Washington, DC.

The NRC received nine comment letters in response to the proposed rule. The commenters consist of a broad institutional licensee, a medical licensee, State agencies, a Federal Government laboratory, several material licensees, and a nuclear power utility. In a number of cases, letters from different commenters addressed similar issues. The NRC has identified and responded to 12 separate issues that include all of the significant points raised by the commenters. The comments and NRC responses are presented below.

Summary and Analysis of Public Comments

1. *Comment.* The listing requirement under the expiration and termination of license which states that "Upon approval of the decommissioning plan by the Commission, the licensee shall * * * include a list of the location and description of all equipment involved in licensed operations that is to remain onsite at the time of license termination" is too broad. For example, as one commenter argued, under the proposed requirement, even a typewriter can be considered as a piece of "equipment involved in licensed operations" because the typewriter was used to generate reports concerning the licensed activities. Another commenter stated that "old" equipment decontaminated and returned to inventory for others to use should not be tracked until the termination of the license.

Response. The supplementary information to the proposed rule stated that, "* * * equipment to be left onsite at the time of license termination are appropriate for listing since these may be potential sources of exposure." It is not the intent of the Commission that licensees should list and track equipment such as a typewriter which never was contaminated or "old" equipment decontaminated to unrestricted area release levels and returned to inventory until the time of license termination; existing requirements in §§ 20.401 and 20.2103 require records of surveys made to confirm that equipment is suitable for unrestricted before it is removed from the site. Rather, the intention of this recordkeeping requirement is to ensure that any (contaminated) equipment that was decontaminated during decommissioning and is to be left onsite after license termination is identified. This would assist the NRC in performing a confirmatory survey. Therefore, the rule has been modified to clarify that contaminated equipment that has been or will be sent offsite to authorized radioactive waste disposal sites or decontaminated and released from the site to some other location and use need not be listed. A licensee is not required to identify this equipment prior to conducting the decontamination

and decommissioning operations. Specifically, §§ 30.36(c)(3), 40.42(c)(3), 70.38(c)(3), and 72.54(e)(2) will now read as follows:

"* * * and shall include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated."

2. *Comment.* Extend the exemption to all sealed sources on or offsite provided there has been no damage to or leakage from the sources. Commenters supported NRC's assessment that the risk of "contamination" from any sealed source "authorized to operate at temporary job sites" is minimal under normal use conditions. One commenter questioned the impact of the proposed rule on the uses of brachytherapy sources. Another commenter suggested that all sealed sources on or off the site should be exempted from the proposed rule provided there has been no damage or leakage from the sources.

Response. The NRC agrees that areas containing only sealed sources, both on or off the site, need not be listed provided the sealed sources have not leaked, or no contamination remains after any leak. Sections 30.35(g)(3) and 70.25(g)(3) have been amended to reflect this decision.

3. *Comment.* Will the proposed requirements be retroactive?

Response. The NRC does not intend for the requirements to be retroactive. However, the list should be as complete as possible and licensees should go back into the history of their licensed operation as far as possible to develop their initial list. After the initial list is generated, it would need to be updated at least every 2 years. Therefore, §§ 30.35(g)(3), 40.36(f), 70.25(g)(3), and 72.30(d)(3) have been amended to reflect this position.

4. *Comment.* Aside from exempting radioactive materials that possess half-lives of 10 days or less, an exemption should also be given for those radioactive materials that through time of possession have also decayed to very low levels.

Response. In principle it seems reasonable to exempt radioactive materials with half-lives greater than 10 days if during their time of possession they have decayed to very low levels. However, in practice this would be difficult to implement because the NRC would need to define, at that time, what NRC considers to be "very low levels." In addition, most licensees cannot predict the exact time of their license termination. However, the NRC agrees that the 10-day half-life is too restrictive. Moreover, materials with less than 65-day half-lives are already authorized by the Commission for decay-in-storage, for example, under 10 CFR 35.92. Therefore, a 65-day half-life appears to be a more reasonable and consistent limit. The rule has been modified accordingly. It is important to note that the purpose of this recordkeeping rule is to prevent contaminated areas and equipment from being overlooked at the time of license termination, because of inadequate recordkeeping. Any large amount of licensed material, no matter how short the half-life, should be properly controlled, surveyed, inventoried, and documented at all times. At the time of license termination, if the licensee possesses a sufficient amount of short half-life materials to affect decommissioning, the Commission would expect that the licensee would be able to identify the areas where these materials are used and/or stored.

5. *Comment.* The proposed rule is unduly burdensome and will not ensure that the stated aim is met. Therefore, the proposed rule should be withdrawn and problems that have been identified should be solved by existing methods, such as during routine inspections, under the current requirements, such as decommissioning regulations (10 CFR part 30.35) and 10 CFR part 20, subpart M, and through real time inspection and enforcement programs. At some large research institutions, the burdens created by the proposed regulation would be very significant because activities with small amounts of radioactive materials are conducted in numerous rooms and buildings.

Response. The Commission has carefully considered the comments received and reviewed the impact of the proposed rule. The discussed changes have been made to minimize the recordkeeping burden without diminishing the effectiveness of the rule. In addition, aside from the required list of previous and current restricted areas designated in the proposed rule, the final rule requires only the list of areas outside of restricted areas that require documentation (records) in the existing rule under §§ 30.35(g)(1), 40.36(f)(1), 70.25(g)(1), and 72.25(g)(1) for spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. Further, these records may be limited to instances when contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas. The NRC regards remaining contamination as anything above the NRC's most current residual radioactivity criteria for allowing release for unrestricted use; see 57 FR 13382, April 16, 1992, for case specific guidance on this issue.

Rulemaking activities for specifying residual radioactivity limits for site cleanup are presently underway. As a result of these changes, only those areas and equipment that need to be surveyed by the NRC prior to license termination are now required to be listed. One comment from a large research institution noted that licensed activities and work locations changed on a frequent basis, and over time, rooms were renumbered or even disappeared. Although this rule only requires a list of previously restricted areas, it is prudent for all licensees to retain records of general historical information to support decisions by the licensee and the Commission on what decommissioning actions are necessary to release a facility for unrestricted use. Detailed records required by the regulations and other general information is often needed to determine how closely various areas must be surveyed to verify that they are suitable for unrestricted use. This information also may be needed to respond to allegations that certain decommissioning actions may not have been adequate to protect public health and safety. Therefore, in addition to the specific records required by this rule, all licensees are encouraged to maintain records of general information that will allow them to produce an accurate historical account of all licensed activities conducted during the life of the facility.

As a practical matter, the current regulations do not provide the assurance that all areas that need to be surveyed will be identified. This rule provides that assurance. As now modified, this rule applies to those areas of actual or potential contamination, whether restricted areas or areas outside of restricted areas, that the licensee would be expected to identify.

6. *Comment.* The requirement to list, in a single document, is redundant and too restrictive. Listing should allow reference to other records.

Commenters stated that licensees already have the required information under existing NRC regulations and license conditions. Although not in a specific listing, the information can be obtained from the licensee's existing records. Commenters also stated that the proposed requirement for a single document is too restrictive and that the current NRC decommissioning recordkeeping requirement (e.g., 10 CFR 70.25(g)) already requires licensees to keep decommissioning records "in an identified location." Certain documents

kept by the licensee at various locations for decommissioning purposes (e.g., as-built drawings submitted with original license application, results of wipe tests, etc.) need not be duplicated by the licensee at the central location but only referenced to their locations from a central location. These commenters further stated that to require that records be maintained in a single document will impose an unnecessary burden on licensees who must create a new document containing information found in other documents.

Response. Although the required information may be redundant because the information contained in the "single document" may exist in other licensee records, this information may not be in a form either readily available for inspection, or more important, to facilitate a confirmatory survey prior to license termination. In addition, information needed in the "single document" can be lost over a period of time because there is consequently no specific requirement for the licensee to create or maintain such a record until the end of the license. This was one of the points made at the hearing before the Energy and Environment Subcommittee of the House Committee on Interior and Insular Affairs, chaired by Congressman Mike Synar of Oklahoma (held on August 3, 1989). Thus, to assure that the needed information both exists and is available, the NRC is requiring the subject list and that it be a single document. Guidance explicitly specifying the level of detail expected in the list is being developed and included in a Regulatory Guide on material facilities decommissioning recordkeeping requirements.

7. *Comment.* The proposed 10 CFR 30.35(g)(3)(i) which requires a listing of "all onsite areas designated or formerly designated as restricted areas" should include an indication of the type of material used in each of these areas.

Response. The Commission does not believe that it is necessary to include this information in the list required by this rule. The documentation requirements currently contained at 10 CFR 30.35(g)(1) and corresponding sections under 10 CFR parts 40, 70, and 72, already require the information for situations the NRC considers appropriate, including spills and unusual occurrences.

8. *Comment.* The proposed requirement under 10 CFR 30.35(g)(3)(ii) is inconsistent because licensees are required to list all onsite areas, other than restricted areas, for radioactive materials in quantities greater than a certain threshold amount (i.e., new part 20 appendix C values), yet this same amount for certain materials (e.g., I–125) can be exempt under 10 CFR 30.71, Schedule B. Therefore, to reduce the size of the "single document" and to be consistent with current requirements, it was proposed that the threshold amount be increased 10 (or 100) times.

Response. Upon consideration of this comment, the NRC has concluded that only areas outside of the licensee's restricted areas that actually have been contaminated by these materials in a way that affects decommissioning need be listed. Any areas contaminated above the NRC unrestricted area release criteria outside of the licensee's restricted areas and covered under 10 CFR 30.35(g)(1) and corresponding sections of 10 CFR parts 40, 70, and 72 would require inclusion in the list as discussed earlier under Comment 5.

The NRC notes that the small quantities of material listed in 10 CFR 30.71, Schedule B, can only be distributed for certain uses by a licensee holding a distribution license pursuant to 10 CFR 32.18. Persons possessing such material are exempt from the regulations pursuant to 10 CFR 30.18. Distribution licenses under 10 CFR 32.18 authorize distribution of exempt materials in approved chemical/physical forms for specified purposes only. Manufacturers of byproduct materials are strictly prohibited under 10 CFR 30.18, from distributing radioactive materials to the general public, no matter how small the quantity, without the NRC approving the intended application of the material on a case-by-case basis.

9. *Comment.* The proposed requirements under 10 CFR 30.35(g)(3)(iii) are inconsistent with other regulatory requirements because licensees would be required to keep records of all incidents requiring reports as specified in 10 CFR 30.50(b) (1) or (4), and yet under current 10 CFR 30.35(g)(1), records of spills or other unusual occurrences in restricted areas may be "limited to instances when contamination remains after any cleanup procedures * * *."

Response. The NRC agrees that there was an inconsistency between the proposed requirements and current regulations under 10 CFR 30.35(g)(1). The intent of the proposed §§ 30.35(g)(3)(iii) was to ensure that at the time of actual decommissioning, all areas (i.e., restricted areas as well as unrestricted areas) that may still have contamination resulting from spills or other unusual occurrences are identified. The NRC agrees with the commenter that the current requirement under 10 CFR 30.35(g)(1) is sufficient to handle this concern because it covers all onsite areas. Therefore, proposed §§ 30.35(g)(3)(iii) has been deleted from the final rule, as have proposed §§ 40.36(f)(3)(iii) and 70.25(g)(3)(iii).

10. *Comment.* Listing of buried waste should include offsite as well as onsite specification if such waste has not been disposed of in a licensed disposal facility.

Response. The Commission agrees with this comment. However, 10 CFR 20.2108, "Records of Waste Disposal," already requires that these records be kept "until the Commission terminates each pertinent license requiring the record." Therefore, the proposed requirement to list "all known locations and radionuclide contents of previous and current burial areas within the site" is modified in the final rule to list all areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108, since the purpose of this rule is to consolidate all necessary information in one list.

However, the Commission is concerned that there may be areas outside of the licensee's restricted area containing radioactive materials which have radioactive concentrations greater than levels authorized by the Commission for unrestricted release, which are not considered to be spills or unusual occurrences, and which are currently not documented under 10 CFR 20.2108 because the licensee either does not consider these materials currently to be waste, or plans to dispose of these materials before the license is terminated. The Commission is concerned that these areas, if forgotten at the time of license termination, may become de facto areas of onsite disposal of radioactive waste. Onsite disposal would have to be authorized by the NRC per licensee application under 10 CFR 20.2002, subpart K and documented. Therefore, to clarify the original intent of this proposed requirement, §§ 30.35(g)(3)(iii), 40.36(f)(3)(iii), and 70.25(g)(3)(iii) of the proposed rule have been changed to include in the list:

"All areas outside of restricted areas which contain material so that, if the license expired the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under 10 CFR 20.302 or 20.2002."

See the response to Comment 5 for NRC case specific guidance concerning residual radioactivity limits for site cleanup. The NRC does not believe that similar requirements are necessary for part 72 licensees, because these licensees are not likely to have conduct of operations which would result in

contaminated areas arising from situations other than unusual occurrences or spills, which are already covered.

11. *Comment.* Proposed requirements under 10 CFR part 72 should allow independent spent fuel storage facilities that had previously held a part 50 license to use their part 50 records (i.e., 50.75(g)) to satisfy the listing requirements.

Response. Current part 50 licensees will have to apply to the NRC for a separate license if they wish to establish an independent spent fuel storage installation (ISFSI) under 10 CFR part 72. Whether the part 72 licensee was formerly a part 50 licensee is immaterial to the NRC in determining whether the applicant should get a part 72 license. The recordkeeping requirement for a part 72 license (72.18(d)) is similar to that for a part 50 license (50.75(g)); nevertheless, for the reasons explained in response to Comment 6, this does not allow for an exemption from the provisions of the listing requirement. Therefore, regardless of whether the part 72 licensees is also a holder of a part 50 license, the part 72 licensee should still provide the required listing.

12. *Comment.* A discussion needs to be included about the degree of compatibility this rule will require with respect to the Agreement States.

Response. The NRC agrees. In this case, the Commission believes that there is no reason for strict compatibility, and that while the Agreement States should have requirements similar to those being adopted in this final rule, they should be permitted flexibility to apply more stringent requirements if the States deem them appropriate. Therefore, the Commission proposed a Division 2 matter of compatibility and provided the Agreement States an opportunity to comment. The Agreement States generally agreed that such a level of compatibility was reasonable.

Summary of Final Rule Provisions

A. The final rule contains new requirements applicable to the licensed possession and use of source, byproduct, and special nuclear materials, and independent storage of spent nuclear fuel and high-level radioactive waste during ongoing facility operations.

Sections 30.35(g)(3), 40.36(f)(3), and 70.25(g)(3). Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after cleanup of any leak) or byproduct materials having only half-lives of less than 65 days, or depleted uranium used only for shielding or as penetrators in unused munitions, licensees will be required to establish and maintain a list, contained in a single document. This list must be updated every 2 years, and include the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(ii) All areas outside of restricted areas that require documentation under § 30.35(g)(1) [or 40.36(f)(1) or 70.25 (g)(1).];

(iii) All areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108; and

(iv) All areas outside of restricted areas which contain material that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under 10 CFR 20.302 or 20.2002.

Section 72.30(d): A list contained in a single document. The list must be updated every 2 years and include the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(ii) All areas outside of restricted areas that require documentation under § 72.30(d)(1).

B. For those licensees who are required to submit a decommissioning plan, new requirements are applicable at the plan submittal and license termination stage.

Sections 30.36(c)(2)(iii)(D), 40.42(c)(2)(ii)(D), 70.38(c)(2)(iii)(D), and 72.54(b)(4). The information required in section A (the list of areas) above and any other information not required by section A that is considered necessary to support the adequacy of the decommissioning plan for approval.

Sections 30.36(c)(3), 40.42(c)(3), 70.38(c)(3), and 72.56(e)(2). "* * *" and shall include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated."

Environmental Impact—Categorical Exclusion

The NRC has determined that this regulation is the type of action described in categorical exclusion 10 CFR 51.22(c)(3) (ii) and (iii). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this regulation.

Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget approval numbers 3150–0017, 3150–0020, 3150–0009, and 3150–0132.

Public reporting burden for this collection of information is estimated to average 5 hours per licensee response, including the time required reviewing instructions, searching existing data sources, gathering and maintaining the data needed and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (MNBB–7714), U.S. Nuclear Regulatory Commission, Washington, DC 20555; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB–3019, (3150–0017, 3150–0020, 3150–0009, and 3150–0132), Office of Management and Budget, Washington, DC 20503.

Regulatory Analysis

The Commission has prepared a final regulatory analysis for this final regulation. The analysis examines the costs and benefits of the alternatives considered by the Commission. The Commission requested public comments on the draft regulatory analysis, but no comments were received. However, because of comments on the proposed rule amendments, significant changes were made to the final rule amendments which considerably lessen the impact on licensees. Therefore, the draft regulatory analysis was changed to reflect the modified final rule and its subsequent reduced regulatory impact. The analysis is available for inspection in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Regulatory Flexibility Certification

As required by the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this rule, if adopted, will not have a significant impact upon a substantial number of small entities. The final rule, contrary to the proposed rule, will only affect a small number of small entities because licensees will not be required to list either sealed sources that do not leak or unsealed licensed materials with half-lives of less than 65 days. Even for affected small entity licensees, the added requirements would require only a small effort not exceeding approximately 5 hours to compile the information and create the required list which essentially documents

information the licensee already has or will have. In fact, licensee costs may be reduced to the extent that these requirements allow the license to be terminated more expeditiously.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this rule, because these amendments do not involve any provisions which would impose backfits as defined in 10 CFR 50.109(a)(1), and therefore, that a backfit analysis is not required.

List of Subjects

10 CFR Part 30

Byproduct material, Criminal penalty, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Criminal penalty, Government contracts, Hazardous material—transportation, Nuclear materials, Reporting and recordkeeping requirements, Source material, and Uranium.

10 CFR Part 70

Criminal penalty, Hazardous materials—transportation, Material control and accounting, Nuclear materials, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Special nuclear material.

10 CFR Part 72

Manpower training program, Nuclear materials, Occupational safety and health, Reporting and recordkeeping requirements, Security measures, Spent fuel.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR parts 30, 40, 70, and 72.

PART 30—RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL

1. The authority citation for part 30 continues to read as follows:

Authority: Secs. 81, 82, 161, 182, 183, 186, 68 Stat. 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat 444, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233, 2236, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246, (42 U.S.C. 5841, 5842, 5846).

Section 30.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 30.61 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

2. Section 30.8 is amended by revising paragraph (b) to read as follows:

§ 30.8 Information collection requirements: OMB approval.

* * * * *

(b) The approved information collection requirements contained in this part appear in §§ 30.9, 30.11, 30.15, 30.19, 30.20, 30.32, 30.34, 30.35, 30.36, 30.37, 30.38, 30.41, 30.50, 30.51, 30.55, and Appendix A.

* * * * *

3. Section 30.35 is amended by redesignating paragraph (g)(3) as paragraph (g)(4) and adding a new paragraph (g)(3) to read as follows:

§ 30.35 Financial assurance and recordkeeping for decommissioning.

* * * * *

(g) * * *

(3) Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after any leak) or byproduct materials having only half-lives of less than 65 days, a list contained in a single document and updated every 2 years, of the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(ii) All areas outside of restricted areas that require documentation under § 30.35(g)(1).

(iii) All areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108; and

(iv) All areas outside of restricted areas which contain material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under 10 CFR 20.302 or 20.2002.

* * * * *

4. Section 30.36 is amended by redesignating paragraph (c)(2)(iii)(D) as (c)(2)(iii)(E), adding a new paragraph (c)(2)(iii)(D), and revising paragraph (c)(3) to read as follows:

§ 30.36 Expiration and termination of licenses.

* * * * *

(c) * * *

(2) * * *

(iii) * * *

(D) The information required in § 30.35(g)(3) and any other information required by § 30.35(g) that is considered necessary to support the adequacy of the decommissioning plan for approval;

* * * * *

(3) Upon approval of the decommissioning plan by the Commission, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in paragraph (c)(1)(v) of this section, shall certify the disposition of accumulated wastes from decommissioning, and shall include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated.

* * * * *

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

5. The authority citation for part 40 continues to read as follows:

Authority: Secs. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 11e(2), 83, 84, Pub. L. 95–604. 92 Stat. 3033, as amended, 3039, sec. 234, 83, Stat. 444, as amended (42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282); secs. 274, Pub. L. 86–373, 73 Stat. 688 (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 275, 92 Stat. 3021, as amended by Pub. L. 97–415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 also issued Pub. L. 95–601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). Section 40.31(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 40.71 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

6. Section 40.8 is amended by revising paragraph (b) to read as follows:

§ 40.8 Information collection requirements: OMB approval.

* * * * *

(b) The approved information collection requirements contained in this part appear in §§ 40.25, 40.26, 40.31, 40.35, 40.36, 40.42, 40.43, 40.44, 40.60, 40.61, 40.64, 40.65, and Appendix A.

* * * * *

7. Section 40.36 is amended by redesignating paragraph (f)(3) as paragraph (f)(4) and adding a new paragraph (f)(3) to read as follows:

§ 40.36 Financial assurance and recordkeeping for decommissioning.

* * * * *

(f) * * *

(3) Except for areas containing depleted uranium used only for shielding or as penetrators in unused munitions, a list contained in a single document and updated every 2 years, of the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(ii) All areas outside of restricted areas that require documentation under § 40.36(f)(1);

(iii) All areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108; and

(iv) All areas outside of restricted areas which contain material so that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under 10 CFR Part 20.302 or 20.2002.

* * * * *

8. Section 40.42 is amended by redesignating paragraph (c)(2)(iii)(D) as paragraph (c)(2)(iii)(E), adding a new paragraph (c)(2)(iii)(D), and revising paragraph (c)(3) to read as follows:

§ 40.42 Expiration and termination of licenses.

* * * * *

(c) * * *

(2) * * *

(iii) * * *

(D) The information required in § 40.36(f)(3) and any other information required by § 40.36(f) that is considered necessary to support the adequacy of the decommissioning plan for approval;

* * * * *

(3) Upon approval of the decommissioning plan by the Commission, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in paragraph (c)(1)(v) of this section, shall certify the disposition of accumulated wastes from decommissioning, and shall include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated.

* * * * *

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

9. The authority citation for part 70 continues to read as follows:

Authority: Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846).

Sections 70.1(c) and 70.20(a)(b) also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241 (42 U.S.C.10155, 10161). Section 70.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 (42 U.S.C. 2152). Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 70.31 also issued under sec. 57d, Pub. L. 93–377, 88 Stat. 475 (42 U.S.C. 2077). Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

10. Section 70.8 is amended by revising paragraph (b) to read as follows:

§ 70.8 Information collection requirements: OMB approval.

* * * * *

(b) The approved information collection requirements contained in this part appear in §§ 70.19, 70.20a, 70.20b, 70.21, 70.22, 70.24, 70.25, 70.32, 70.33, 70.34, 70.38, 70.39, 70.42, 70.50, 70.51, 70.52, 70.53, 70.57, 70.58, 70.59, and 70.60.

* * * * *

11. Section 70.25 is amended by redesignating paragraph (g)(3) as paragraph (g)(4) and adding a new paragraph (g)(3) to read as follows:

§ 70.25 Financial assurance and recordkeeping for decommissioning.

* * * * *

(g) * * *

(3) Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after cleanup of any leak), a list contained in a single document and updated every 2 years, of the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003;

(ii) All areas outside of restricted areas that require documentation under § 70.25(g)(1);

(iii) All areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108; and

(iv) All areas outside of restricted areas which contain material so that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under 10 CFR part 20.302 or 20.2002.

* * * * *

12. Section 70.38 is amended by redesignating paragraphs (c)(2)(iii)(D) and (c)(2)(iii)(E) as paragraphs (c)(2)(iii)(E) and (F), adding a new paragraph (c)(2)(iii)(D), and revising paragraph (c)(3) to read as follows:

§ 70.38 Expiration and termination of licenses.

* * * * *

(c) * * *

(2) * * *

(iii) * * *

(D) The information required in § 70.25(g)(3) and any other information required by § 70.25(g) that is considered necessary to support the adequacy of the decommissioning plan for approval;

* * * * *

(3) Upon approval of the decommissioning plan by the Commission, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in paragraph (c)(1)(v) of this section, shall certify the disposition of accumulated wastes from decommissioning, and shall include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated.

* * * * *

PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

13. The authority citation for Part 72 continues to read as follows:

Authority: Secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 68 Stat. 929, 930, 932, 933, 934, 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2238, 2282); sec. 274 Pub. L. 86–373, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); Pub. L. 95–601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851); sec. 102 Pub. L. 91–190, 83 Stat. 853 (42 U.S.C. 4332). Secs. 131, 132, 133, 135, 137, 141, Pub. L. 97–425, 96 Stat. 2229, 2230, 2232, 2241, sec. 148, Pub. L. 100–203, 101 Stat. 1330–235 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168).

Section 72.44(g) also issued under secs. 142(b) and 148(c), (d), Pub. L. 100–203, 101 Stat. 1330–232, 1330–236 (42 U.S.C. 10162(b), 10168(c), (d)). Section 72.46 also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97–425, 96 Stat. 2230 (42 U.S.C. 10154). Section 72.96(d) also issued under sec. 145(g), Pub. L. 100–203, 101 Stat. 1330–235 (42 U.S.C. 10165(g)). Subpart J also issued under secs. 2(2), 2(15),

2(19), 117(a), 141(h), Pub. L. 97–425, 96 Stat. 2202, 2203, 2204, 2222, 2244, (42 U.S.C. 10101, 10137(a), 10161(h). Subparts K and L are also issued under sec. 133, 98 Stat. 2230 (42 U.S.C. 10153) and 218(a) 98 Stat. 2252 (42 U.S.C. 10198).

14. Section 72.30 is amended by revising the section heading, redesignating paragraph (d)(3) as paragraph (d)(4) and adding a new paragraph (d)(3) to read as follows:

§ 72.30 Financial assurance and recordkeeping for decommissioning.

* * * * *

(d) * * *

(3) A list contained in a single document and updated no less than every 2 years of the following:

(i) All areas designated and formerly designated as restricted areas as defined under 10 CFR 20.3(a)(14) or 20.1003; and

(ii) All areas outside of restricted areas that require documentation under § 72.30(d)(1).

* * * * *

15. Section 72.54 is amended by redesignating paragraph (b)(4) as paragraph (b)(6), adding a new paragraph (b)(4) and revising paragraph (e)(2) to read as follows:

§ 72.54 Application for termination of licenses.

* * * * *

(b) * * *

(4) The information required in § 72.30(d)(3) and any other information required by § 72.30(d) that is considered necessary to support the adequacy of the decommissioning plan for approval;

* * * * *

(e) * * *

(2) The terminal radiation survey and associated documentation demonstrates that the ISFSI and site are suitable for release for unrestricted use and the licensee include a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated.

Dated at Rockville, Maryland, this 12th day of July 1993.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc 93–17585 Filed 7–23–93; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF ENERGY

10 CFR Part 810

Assistance to Foreign Atomic Energy Activities

AGENCY: Office of Arms Control and Nonproliferation, Department of Energy.

ACTION: Final rule.

SUMMARY: The Department of Energy (DOE) is amending its regulations concerning unclassified assistance to foreign atomic energy activities. These amendments will: Establish a general authorization for assistance that would enhance the operational safety of existing civilian nuclear power reactors in the list of countries; add a definition of "operational safety" as this concept relates to existing civilian nuclear power plants; update the list of countries requiring specific authorization for assistance in the production of special nuclear material by deleting certain countries and adding others; require specific authorization for assistance relating to certain research and test reactors; require that any materials, equipment, or technology transferred under certain general authorizations not be retransferred to a country without prior U.S. Government consent; and make certain technical changes, such as updating addressees to whom reports and requests under these regulations should be submitted.

EFFECTIVE DATE: These amendments are effective on July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Mr. Zander Hollander, Export Control Specialist, Export Control Operations Division, Office of Export Control and International Safeguards, IS–40, U.S. Department of Energy, 1000 Independence Ave. SE, Washington, DC 20585. Telephone (202) 586–2125.

SUPPLEMENTARY INFORMATION:

1. Background

10 CFR part 810 implements section 57 b. (2) of the Atomic Energy Act of 1954, as amended by section 302 of the Nuclear Non-Proliferation Act of 1978 (NNPA) (42 U.S.C. 2077 (b) (2)). This section requires that U.S. persons who engage directly or indirectly in the production of special nuclear material outside the United States be authorized to do so by the Secretary of Energy. According to the part 810 regulations, assistance by U.S. persons to nuclear power reactor-related activities outside the United States is generally authorized for countries not listed in § 810.8(a), which sets forth the circumstances in which specific authorization is required. A main purpose of this revision is to establish a new general authorization for assistance that would enhance the operational safety of existing civilian nuclear power reactors in countries listed in § 810.8(a), thus eliminating the need for specific authorization by the Secretary of Energy for that assistance. In this regard, the new general authorization can be viewed as building on to the long-standing, and still retained, authority in § 810.7(b), which generally authorizes assistance to prevent or correct a current or imminent radiological emergency posing a significant danger to public health and safety. However, unlike for other general authorizations, applicants must obtain the written permission of the Department of Energy in order to use the new general authorization. Accordingly, the new general authorization can be viewed as a hybrid authorization in that it will not be automatic, as for example a general authorization under § 810.7(a), but does not involve the time-consuming process required for specific authorizations. DOE will review applications to confirm that proposed activities meet the criteria for use of the authorization and are consistent with the objectives of U.S. national security, national disclosure, and nuclear nonproliferation policy. In addition, DOE will provide each application received to the Departments of State (DOS), Commerce, and Defense, the Arms Control and Disarmament Agency, and the Nuclear Regulatory Commission, along with notice of DOE's proposal to allow or disallow use of the new general authorization. It is anticipated that in most cases, with DOS concurrence, permission or denial will be given within 30 days. If it appears that review is required beyond the 30-day period, DOE will notify the applicant within the 30-day period not to proceed until DOE informs the applicant otherwise.

The intent of the new general authorization is to:

- Expedite safety-related assistance to civilian nuclear power plants, particularly in the former Soviet Union, and support the U.S. Government's efforts to improve the operational safety of nuclear power reactors worldwide.
- Enable U.S. firms to compete more effectively against foreign competitors for safety-related nuclear business.
- Eliminate unnecessary paperwork and time-consuming bureaucratic delays.

Over the past several years, DOE has received numerous requests from U.S. firms to provide safety-related assistance to foreign nuclear power plants and has granted those requests after careful executive branch review.

DOE has now reached the conclusion that for this type of assistance a more expedited procedure would better serve the goal of enhancing safety while not compromising the equally important goal of strict adherence to the nonproliferation policy of the United States.

To assist applicants in determining whether the assistance they propose to furnish is likely to qualify for the "fast track" treatment afforded by the new general authorization, a definition of "operational safety" has been added to § 810.3 "Definitions."

The authorization also may apply to "continuing programs" of safety enhancement, in which a U.S. supplier undertakes a variety of informational and assistance activities intended to upgrade and maintain safety over a long period; this would obviate the need for specific authorization of each or several of the activities periodically.

In § 810.8(a), the list of countries requiring specific authorization even for nuclear power-reactor related activities has been modified to reflect the vast changes in the world since the list was last published in 1986. Deleted from the list are countries that no longer exist, some countries that have become party to the Nuclear Non-Proliferation Treaty (NPT) and completed full-scope safeguards agreements with the International Atomic Energy Agency (IAEA), and East European countries that had been listed solely for national security reasons that vanished with the disintegration of the Warsaw Pact. Added to the list are the republics of the former Soviet Union. Section 810.8 is also amended to require specific authorization for assistance relating to certain research or test reactors. An additional reporting requirement is added to § 810.13.

2. Regulatory Changes

The following changes are made to Part 810:

A. Section 810.3 *Definitions.* A definition of "operational safety" is added.

B. Section 810.4 *Communications.* A new addressee for communications is given.

C. Section 810.5 *Interpretations.* The title of the office providing advice is changed.

D. Section 810.7 *Generally authorized activities.* A new general authorization for assistance that would enhance the operational safety of existing civilian nuclear power reactors is added.

E. Section 810.8 *Grant of specific authorization.* The list of countries in § 810.8(a) is revised, with some countries deleted and others added. Section 810.8 is also amended by adding requirements for specific authorization for assistance relating to research and test reactors greater than 5 Megawatts Thermal and training in related activities.

F. Section 810.10 *Grant of specific authorization.* The addressee for proposals to provide assistance is changed.

G. Section 810.13 *Reports.* Reporting requirements include a vendor assurance that the vendor's agreement with a recipient requires the vendor to obtain DOE approval before consenting to retransfer materials, equipment, and technology transferred under certain general authorizations to a country listed in § 810.8. Also, the addressee for reports is changed.

H. Section 810.16 *Effective date and savings clause.* The savings clause states that the revision will not affect previously granted specific authorizations or generally authorized activities for which the contracts, purchase orders, or licensing arrangements are already in effect on the date of publication of the final rule; also, that persons engaging in activities generally authorized under the present regulations but requiring specific authorization under the revision must request such specific authorization within 90 days but may continue their activities until DOE acts on the request; also, that specific authorizations previously granted for assistance to the Soviet Union remain valid for the newly independent former republics of the Soviet Union.

3. Statutory Requirements

Pursuant to section 57 b. of the Atomic Energy Act, with the concurrence of the Department of State and after consultations with the Departments of Defense and Commerce, the Arms Control and Disarmament Agency, and the Nuclear Regulatory Commission, the Secretary of Energy has determined that to authorize this revision of 10 CFR part 810 will not be inimical to the interests of the United States.

4. Procedural Matters

A. Regulatory Review

Pursuant to the January 22, 1993, memorandum on the subject of regulatory review from the Director of the Office of Management and Budget (58 FR 6074, January 25, 1993), DOE submitted this notice to the Director for appropriate review. The Director has completed his review. Separately, DOE has determined that there is no need for a regulatory impact analysis because the rule is not a major rule as that term is defined in section 1(b) of Executive Order 12291."

B. Review under the Regulatory Flexibility Act

The rule was reviewed under the Regulatory Flexibility Act, Pub. L. 96–354 (42 U.S.C. 601–612) which requires preparation of a regulatory flexibility analysis for any regulation that will have a significant economic impact on a substantial number of small entities, i.e., small businesses and small government jurisdictions. This action amends regulations in a manner to expedite the current process of providing approval for U.S. persons to conduct certain activities in other countries; thus it would impose no economic burden upon small entities subject to those regulations. DOE accordingly certifies that there will not be a significant economic impact on a substantial number of small entities and that preparation of a regulatory flexibility analysis is not warranted.

C. Review under the National Environmental Policy Act

The rule was reviewed under the National Environmental Policy Act of 1969, Public Law 91–190 (42 U.S.C. 4321 *et seq.*), Council on Environmental Quality Regulations (40 CFR parts 1500–08), and the Department of Energy environmental regulations (10 CFR part 1021) and was determined not to constitute a major Federal action significantly affecting the quality of the human environment. Accordingly, no environmental impact statement is required.

D. Review under Executive Order 12612

Executive Order 12612 requires that regulations be reviewed for any substantial direct effects on States, on the relationship between the national Government and the States, or in the distribution of power among various levels of government. If there are sufficient substantial direct effects, the Executive Order requires the preparation of a Federalism assessment to be used in decisions by senior policymakers in promulgating or implementing the regulation. The rule will not have a substantial direct effect on the traditional rights and prerogatives of States in relationship to the Federal Government. Preparation of a Federalism assessment is therefore unnecessary.

E. Review under Executive Order 12778

Section 2 of Executive Order 12778 instructs each agency subject to

Executive Order 12291 to adhere to certain requirements in promulgating new regulations and reviewing existing regulations. These requirements, set forth in sections 2(a) and (b)(2), include eliminating drafting errors and needless ambiguity, drafting the regulations to minimize litigation, providing clear and certain legal standards for affected conduct, and promoting simplification and burden reduction. Agencies are also instructed to make every reasonable effort to ensure that the regulation: Specifies clearly any preemptive effect, effect on existing Federal law or regulation, and retroactive effect; describes any administrative proceedings to be available prior to judicial review and any provisions for the exhaustion of such administrative proceedings; and defines key terms. DOE certifies that today's rulemaking meets the requirements of sections 2(a) and (b) of Executive Order 12778.

F. Paperwork Reduction Act

The information collections in this rule are exempt from review by the Office of Management and Budget and from public comment for reasons of national security as provided for in Executive Orders 12035 and 12333 issued under the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

5. Review of Comments

DOE published a proposed rule version of these amendments in the **Federal Register** on March 11, 1993 (58 FR 13427) and a correction to the proposed rule on March 23, 1993 (58 FR 15441). Written comments were received from four parties. These comments have been made available for public inspection in the DOE Reading Room during consideration of this final rule. As a result, the following changes in the proposed rule were either made or considered and rejected:

A. Section 810.3 Definitions

One comment suggested the word "public" in the newly added definition of "operational safety" might be confusing because the Atomic Energy Act's reference to "public health and safety" has been interpreted in Nuclear Regulatory Commission licensing to mean the health and safety of the U.S. "public," while here the reference is also to the foreign "public." Accordingly, it was proposed to replace the word "public" with "off-site population" in the definition, as well as in § 810.7(b) and in the new general authorization in § 810.7. To preclude the possibility of confusion resulting from the use of "public," DOE has adopted this proposal.

Another comment found the definition "extraordinarily broad." DOE agrees that it is broad, reflecting DOE experience that many kinds of appropriate assistance can contribute to the safe operation of a nuclear power reactor. DOE has been careful, however, to frame a definition that excludes an even wider variety of nuclear assistance—for example, safety-related assistance to enrichment or reprocessing facilities or assistance in designing or manufacturing reactors—for which this general authorization would not be available. Even then, the assistance could be provided to a recipient on the § 810.8 list of countries if a specific authorization were granted after review under these regulations.

B. Section 810.7 Generally Authorized Activities

One comment contended that the new safety-related general authorization would justify the provision of "virtually any kind of nuclear assistance in any country with a civilian nuclear power program," including countries "known or suspected to be developing nuclear weapons." In response, DOE would underscore the point made in the preamble to the proposed rule—that is, "DOE will review applications to confirm that proposed activities meet the criteria for use of the authorization and are consistent with the objectives of U.S. national security, national disclosure, and nuclear nonproliferation policy." This review will assess not only the safety-related nature of the proposed assistance and but also whether U.S. policy objectives are served. Thus, just as assistance under specific authorization is governed by the nonproliferation and safeguards status of the recipient country and is denied to countries "known or suspected to be developing nuclear weapons," so would assistance under the new general authorization.

The same comment expressed disbelief that "an exception to the specific authorization requirement is warranted" even for safety-related assistance to the former Soviet Union because "current part 810 specific authorization procedures are not onerous." However, at minimum, the comment held, the new general authorization should at least be limited to the republics of the former Soviet Union "which have implemented effective safeguards and made a commitment to long-term nuclear cooperation with the United States."

As to the onerousness of the specific authorization procedures, DOE experience has shown that processing routine cases under these procedures normally takes about three months, at best. However, since the "fast track" of the new general authorization will be reserved for safety-related assistance that poses little or no proliferation concern and going to countries that pose little or no proliferation concern, DOE believes it should be available for countries on the § 810.8(a) list other than the republics of the former Soviet Union, for example, Argentina or South Africa. Even so, DOE has deliberately chosen not to make this type of general authorization automatic—that is, available for the taking—as is the case for authorizations under §§ 810.7(a) and (g), for example, and in fact has chosen to make its approval more formal than for use of any other type of general authorization. This is because DOE believes the technical significance of the proposed safety-related assistance and its consistency with U.S. policy objectives cannot be left to the judgment of the applicant but must be assessed by DOE and the other agencies.

Further, the comment raised the concern that "the mere designation by the recipient country of a reactor as 'civil' should not automatically entitle it to operational safety assistance" and argued that the authorization should be limited to "operating" reactors rather than "existing" reactors to "avoid the risk of authorizing assistance to help complete reactors now under construction in countries of proliferation risk."

DOE agrees wholeheartedly that calling a reactor "civil" does not necessarily make it so. Accordingly, it has been the longstanding policy of DOE and the other agencies involved in reviews under these regulations to ascertain the true use of any reactor proposed to receive U.S. assistance. DOE has chosen to adopt "existing" rather than "operating" as a qualification on the term "reactor" because the former would enable improvement of safety features of a reactor prior to start-up, as well as assistance to safe start-up of a reactor that was shut down for maintenance or fuel reloading.

Another comment said DOE should have to give written permission for each case of transfer of assistance or at least have to grant permission at intervals (e.g. annually) to prevent granting of a "one-time permission to transfer a wide range of different technology over an indefinite period of time." DOE believes "one-time permission" for a series of transfers may be appropriate in some cases—for example, allowing associations of power reactor operators to exchange safety-related information regularly over time. However, DOE

foresees requiring periodic renewals of such applications to use the new general authorization.

A comment urged that the concurrence/consultation roles of the other agencies be addressed in the final regulations and a mechanism provided for dealing with disapproval by other agencies. As the preamble to the Proposed Rule indicated, the interagency procedures for use of the new general authorization will be approximately the same as for specific authorization: DOE will refer each proposal it believes qualifies for the safety-related general authorization to the Department of State for its concurrence and to the Departments of Defense and Commerce, the Arms Control and Disarmament Agency, and the Nuclear Regulatory Commission for their views. Since DOE intends to use the new general authorization only for safety-related assistance that poses no proliferation concern, it believes five working days should be ample for the interagency review. To keep interagency paperwork to a minimum, the Department of State has agreed to furnish a generic concurrence in advance and to inform DOE in writing when it does not wish this concurrence to apply.

As for providing a mechanism for dealing with agency disapproval of use of the new general authorization, current procedures as they apply to specific authorizations do not have such a mechanism. The law requires DOE to obtain DOS concurrence and to consult the other agencies. DOE and DOS fully consider the views of certain other agencies in reaching their conclusions and see no need for a formal conflict resolution process when the current consultation procedures work well.

One comment suggested that 20 days be allowed for interagency review of cases involving suspected nuclear proliferant countries. DOE has no intention of hurrying review of proposed assistance to nuclear proliferant countries—whether under specific authorization or the new general authorization. In the rare case that U.S. Government nonproliferation policy would not preclude assistance to such countries, it would certainly require that agencies have ample time to deliberate. In any event, no change in the regulations is needed to provide DOE and the other agencies the time necessary to assess fully each request.

Two comments suggested that to avoid possible misinterpretation, the new general authorization should state explicitly that it is intended to be used only for assistance to countries listed in § 810.8(a). DOE has made this change.

C. Section 810.8 Activities Requiring Specific Authorization

One comment urged that in addition to the many countries being deleted from the § 810.8(a) list, DOE should consider the early removal of Argentina and Brazil in recognition of the great progress these countries have made toward joining the international nuclear nonproliferation regime. DOE is well aware of recent developments in Argentina and Brazil and notes that Argentina, in particular, is making rapid progress toward fulfilling its commitments to put into force both the Treaty of Tlatelolco and a full-scope safeguards agreement with the IAEA. DOE believes that countries clearly renouncing nuclear weapons should be considered for removal from the § 810.8(a) list in a timely manner and pledges to do so.

One comment expressed concern over the reference to "prototype" reactors in proposed new section 8(c)(5). It noted that "prototype" could be misconstrued as including first models of new power reactors, although the intent is to require specific authorization for assistance to the kinds of reactors that have figured in the clandestine programs of would-be proliferants. Since requiring specific authorization for assistance to all "research" and "test" reactors greater than 5 Megawatts Thermal capacity would include the "prototypes" of such reactors, DOE has deleted the reference to "prototype" reactors in the subsection.

Section 810.13 Reports

DOE accepted two comments that the new reporting requirement on generally authorized assistance should make clear that it is the U.S. vendor's responsibility to have a retransfer consent agreement with the foreign recipient and to obtain DOE approval before consenting to a retransfer to a country listed in § 810.8(a). It also accepted a comment that DOE's approval should be necessary for subsequent retransfers to countries listed in § 810.8(a). The requirement has been modified to clarify DOE's original intent on this matter and consonant with the comments received.

List of Subjects in 10 CFR Part 810

Foreign relations, Nuclear energy, Reporting and recordkeeping requirements.

Issued in Washington, DC, July 20, 1993.

Anthony Czajkowski,

Acting Director, Office of Arms Control and Nonproliferation, Office of Intelligence and National Security.

For the reasons set out in the preamble, part 810 of title 10 of the Code of Federal Regulations is amended as set forth below:

PART 810—ASSISTANCE TO FOREIGN ATOMIC ENERGY ACTIVITIES

1. Section 810.3 is amended by adding in alphabetical order the definition for the term "Operational safety" to read as follows:

§ 810.3 Definitions.

* * * * *

Operational safety means the capability of a reactor to be operated in a manner that prevents uncontrolled or inadvertent criticality, prevents or mitigates uncontrolled release of radioactivity to the environment, monitors and limits staff exposure to radiation and radioactivity, and protects off-site population from exposure to radiation or radioactivity. Operational safety may be enhanced by providing expert advice, equipment, instrumentation, technology, software, services, analyses, procedures, training, or other assistance that improves the capability of the reactor to be operated in such a manner.

* * * * *

2. Section 810.4 is amended by designating the first paragraph as (a) and revising it and by designating the second paragraph as (b) to read as follows:

§ 810.4 Communications.

(a) All communications concerning these regulations should be addressed to: U.S. Department of Energy, Washington, DC 20585. Attention: Director, Export Control Operations Division, IS–40, Office of Export Control and International Safeguards. Telephone (202) 586–2112.

* * * * *

§ 810.5 [Amended]

3. Section 810.5 is amended by removing the phrase "Division of Politico-Military Security Affairs (PMSA)" in the first sentence and adding in its place "Director, Export Control Operations Division (AN–30)". Section 810.5 is further amended by removing the acronym "PMSA" in the second sentence and adding in its place "the Director, Export Control Operations Division".

* * * * *

4. Section 810.7 is amended by removing the phrase "public health and safety" in paragraph (b) and adding in its place the phrase "the health and safety of the off-site population."

Section 810.7 is amended further by redesignating paragraphs (c) through (g) as (d) through (h) and adding a new paragraph (c) to read as follows:

§ 810.7 Generally authorized activities.

* * * * *

(c) Furnishing information or assistance, including through continuing programs, to enhance the operational safety of an existing civilian nuclear power plant in a country listed in § 810.8(a) or to prevent, reduce, or correct a danger to the health and safety of the off-site population posed by a civilian nuclear power plant in such a country; provided the Department of Energy is notified in advance by certified mail, return receipt requested, and approves the use of the authorization in writing; the Department will notify the applicant of the status of the request within 30 days from the date of receipt of the notification.

* * * * *

5. Section 810.8 is amended by revising paragraphs (a) and (c)(5) and adding a new paragraph (c)(6). These revisions read as follows:

§ 810.8 Activities requiring specific authorization.

(a) Engaging directly or indirectly in the production of special nuclear material in any of the countries listed below:

Afghanistan
Albania
Algeria
Andorra
Angola
Argentina
Armenia
Azerbaijan
Bahrain
Belarus
Brazil
Burma (Myanmar)
Cambodia
Chile
China, People's Republic of
Comoros
Cuba
Djibouti
Georgia
Guyana
India
Iran
Iraq
Israel
Kazakhstan
Korea, People's Democratic Republic of
Kuwait
Kyrgyzstan
Laos
Libya
Mauritania
Moldova
Monaco
Mongolian People's Democratic Republic
Mozambique
Niger
Oman
Pakistan
Qatar
Russia
Saudi Arabia
South Africa
Syria
Tajikistan
Turkmenistan
Ukraine
United Arab Emirates
Uzbekistan
Vanuatu
Vietnam
Zambia
Zimbabwe

Countries may be removed from or added to this list by amendments published in the **Federal Register**.

* * * * *

(c) * * *

(5) Designing, constructing, fabricating, operating, or maintaining research or test reactors capable of continuous operation above 5 Megawatts Thermal.

(6) Training in the activities of paragraphs (c) (1) through (5) of this section.

§ 810.10 Grant of specific authorization.

6. Section 810.10(a) is amended by removing the phrase "Director, Division of Politico-Military Security Affairs (DP–332), Office of International Security Affairs" and adding in its place "Director, Export Control Operations Division, IS–40, Office of Export Control and International Safeguards".

7. Section 810.13 is amended by revising the introductory text of paragraph (d), adding a new paragraph (d)(4), and revising paragraphs (f) and (g). These revisions read as follows:

§ 810.13 Reports.

* * * * *

(d) Any person, within 30 days after beginning any generally authorized activity under §§ 810.7(b), (c), or (h), shall provide to the Department of Energy:

* * * * *

(4) An assurance that the U.S. vendor has an agreement with the recipient ensuring that any subsequent transfer of materials, equipment, or technology transferred under general authorization to a country listed in § 810.8(a) will only take place if the vendor obtains DOE approval.

* * * * *

(f) Persons engaging in activities generally authorized under section § 810.7(a), (d), (e), (f), and (g) are not subject to reporting requirements under this section.

(g) All reports should be sent to: U.S. Department of Energy, Washington, DC 20585. Attention: Director, Export Control Operations Division, IS–40, Office of Export Control and International Safeguards.

8. Section 810.16 is revised to read as follows.

§ 810.16 Effective date and savings clause.

These regulations are effective on July 26, 1993. Except for actions that may be taken by DOE pursuant to section 810.11, this revision does not affect the validity or terms of any specific authorizations granted under the previous regulations or generally authorized activities under the previous regulations for which the contracts, purchase orders, or licensing arrangements are already in effect on July 26, 1993. Persons engaging in activities that were generally authorized under the previous regulations but that require specific authorization under the revised regulations must request specific authorization within 90 days but may continue their activities until DOE acts on the request. Specific authorizations previously granted for assistance to the Soviet Union remain valid for the newly independent former republics of the Soviet Union.

[FR Doc. 93–17717 Filed 7–23–93; 8:45 am]
BILLING CODE 6450–01–P

FEDERAL RESERVE SYSTEM

12 CFR Parts 207, 220, 221 and 224

Regulations G, T, U and X; Securities Credit Transactions; List of Marginable OTC Stocks; List of Foreign Margin Stocks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule; determination of applicability of regulations.

SUMMARY: The List of Marginable OTC Stocks (OTC List) is composed of stocks traded over-the-counter (OTC) in the United States that have been determined by the Board of Governors of the Federal Reserve System to be subject to the margin requirements under certain Federal Reserve regulations. The List of Foreign Margin Stocks (Foreign List) is composed of foreign equity securities that have met the Board's eligibility criteria under Regulation T. The OTC List and the Foreign List are published four times a year by the Board. This document sets forth additions to and deletions from the previous OTC List

and a deletion from the previous Foreign List. Both Lists were published on April 27, 1993 (58 FR 25543) and effective on May 10, 1993.

EFFECTIVE DATE: August 9, 1993.

FOR FURTHER INFORMATION CONTACT: Peggy Wolffrum, Securities Regulation Analyst, Division of Banking Supervision and Regulation, (202) 452–2781, Board of Governors of the Federal Reserve System, Washington, DC 20551. For the hearing impaired only, contact Dorothea Thompson, Telecommunications Device for the Deaf (TDD) at (202) 452–3544.

SUPPLEMENTARY INFORMATION: Listed below are additions to or deletions from the OTC List. This supersedes the last OTC List which was effective May 10, 1993. Additions and deletions to the OTC List were last published on April 27, 1993 (58 FR 25543). A copy of the complete OTC List is available from the Federal Reserve Banks.

The OTC List includes those stocks that meet the criteria in Regulations G, T and U (12 CFR parts 207, 220 and 221, respectively). This determination also affects the applicability of Regulation X (12 CFR part 224). These stocks have the degree of national investor interest, the depth and breadth of market, and the availability of information respecting the stock and its issuer to warrant regulation in the same fashion as exchange-traded securities. The OTC List also includes any OTC stock designated under a Securities and Exchange Commission (SEC) rule as qualified for trading in the national market system (NMS security). Additional OTC stocks may be designated as NMS securities in the interim between the Board's quarterly publications. They will become automatically marginable upon the effective date of their NMS designation. The names of these stocks are available at the Board and the SEC and will be incorporated into the Board's next quarterly publication of the OTC List.

Also listed below is one deletion from the Foreign List. There are no new additions to the Board's Foreign List, which was last published April 27, 1993 (58 FR 25543) and effective May 10, 1993. Stocks on the Foreign List are eligible for margin treatment at broker-dealers pursuant to a 1990 amendment to Regulation T (12 CFR part 220). The Foreign List includes those securities that meet the criteria in Regulation T and are eligible for margin treatment at broker-dealers on the same basis as domestic margin securities. A copy of the complete Foreign List is available from the Federal Reserve Banks.

Public Comment and Deferred Effective Date

The requirements of 5 U.S.C. 553 with respect to notice and public participation were not followed in connection with the issuance of this amendment due to the objective character of the criteria for inclusion and continued inclusion on the Lists specified in 12 CFR 207.6 (a) and (b), 220.17 (a), (b), (c) and (d), and 221.7 (a) and (b). No additional useful information would be gained by public participation. The full requirements of 5 U.S.C. 553 with respect to deferred effective date have not been followed in connection with the issuance of this amendment because the Board finds that it is in the public interest to facilitate investment and credit decisions based in whole or in part upon the composition of these Lists as soon as possible. The Board has responded to a request by the public and allowed approximately a two-week delay before the Lists are effective.

List of Subjects

12 CFR Part 207

Banks, Banking, Credit, Margin, Margin requirements, National Market System (NMS Security), Reporting and recordkeeping requirements, Securities.

12 CFR Part 220

Banks, Banking, Brokers, Credit, Margin, Margin requirements, Investments, National Market System (NMS Security), Reporting and recordkeeping requirements, Securities.

12 CFR Part 221

Banks, Banking, Credit, Margin, Margin requirements, National Market System (NMS Security), Reporting and recordkeeping requirements, Securities.

12 CFR Part 224

Banks, Banking, Borrowers, Credit, Margin, Margin requirements, Reporting and recordkeeping requirements, Securities.

Accordingly, pursuant to the authority of sections 7 and 23 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78g and 78w), and in accordance with 12 CFR 207.2(k) and 207.6 (Regulation G), 12 CFR 220.2(u) and 220.17 (Regulation T), and 12 CFR 221.2(j) and 221.7 (Regulation U), there is set forth below a listing of deletions from and additions to the OTC List, and one deletion from the Foreign List.

Deletions From the List of Marginable OTC Stocks

Stocks Removed For Failing Continued Listing Requirements

American Integrity Corporation
$.01 par common
American Rice, Inc.
$1.00 par common
Aspen Imaging International, Inc.
No par common
Auto-Trol Technology
$.01 par common
BHA Group, Inc.
Class B,
$.01 par common
Bioplasty, Inc.
$.01 par common
Blue Ridge Real Estate Company, Big Boulder Corporation
Paired certificates
Boston Digital Corporation
$.10 par common
Cardinal Distribution, Inc.
7¼% convertible subordinated debentures
Community Financial Corp.
$.01 par common
Erly Industries, Inc.
$1.00 par common
F & C International, Inc.
No par common
Fonic Inc.
Warrants (expire 05–20–93)
Great American Communications Company
$.01 par common
Horizon Resources Corporation
$.01 par common
In-Store Advertising, Inc.
$.01 par common
Independent Bankgroup, Inc.
$1.00 par common
Intellicorp, Inc.
$.001 par common
Kentucky Central Life Insurance Company
Class A, non-voting, $1.00 par common
Masstor Systems Corporation
$.001 par common
Metallurgical Industries Inc.
Class A, $.10 par common
National Medical Waste, Inc.
$.01 par common
Nationwide Cellular Service Inc.
Warrants (expire 06–01–93)
Norsk Data A.S.
American Depositary Receipts for Class B, non-voting shares
Optek Technology, Inc.
$.01 par common
Scios Nova Inc.
Class C, warrants (expire 06–30–93)
Spectrum Information Technologies, Inc.
Class A, warrants (expire 06–11–93)
Sungard Data Systems Inc.
8¼% convertible subordinated

debentures
TSL Holdings, Inc.
$.01 par common
Vest, H.D., Inc.
Warrants (expire 05–21–93)

Stocks Removed For Listing On A National Securities Exchange Or Being Involved In An Acquisition

Bank of East Tennessee
$2.00 par common
Brand Companies, Inc., The
$.10 par common
Cardinal Financial Group, Inc.
$.10 par common
CB & T Financial Corporation
$1.00 par common
CFS Financial Corporation
$1.00 par common
Colorado National Bankshares, Inc.
No par common
Financial Federal Corporation
$.50 par common
First Community Bancorp Inc.
$1.00 par common
Goldtex, Inc.
$.10 par common
Grancare Inc.
No par common
Gull Laboratories, Inc.
$.001 par common
Hall-Mark Electronics Corporation
$.01 par common
Home Federal Savings Bank (Colorado)
$1.00 par common
Horizon Financial Services, Inc.
$1.00 par common
Jimbo's Jumbos, Incorporation
$.001 par common
Key Centurion Bancshares, Inc.
$3.00 par common
Manitowoc Company, Inc.
$.01 par common
Midsouth Corporation
$.20 par common
Multibank Financial Corporation
$6.25 par common
Northeast Bancorp, Inc.
$5.00 par common
Nucorp, Inc.
$.05 par common
Pulitzer Publishing Company
$.01 par common
Qual-Med, Inc.
$.01 par common
Ranch Industries, Inc.
$1.00 par common
Regency Cruises Inc.
$.001 par common
Republic Capital Group, Inc.
$.10 par common
Security Tag Systems, Inc.
$.001 par common
Society for Savings Bancorp Inc.
$1.00 par common
Southern California Water Company
$5.00 par common
Southwestern Electric Service Co.
$1.00 par common
Sundowner Offshore Services, Inc.
$.01 par common
Western Financial Corporation
$1.00 par common

Additions To The List of Marginable OTC Stocks

3DO Company, The
$.01 par common
Abraxas Petroleum Corporation
$.01 par common
Absolute Entertainment, Inc.
No par common
ABT Building Products Corporation
$.01 par common
ACS Enterprises, Inc.
$.05 par common
Action Performance Companies, Inc.
$.01 par common
Warrants (expire 04–27–98)
AER Energy Resources, Inc.
No par common
AGCO Corporation
Depositary Shares
Alcide Corporation
$.01 par common
Aldila, Inc.
$.01 par common
Alpha 1 Biomedicals, Inc.
Warrants (expire 02–28–97)
American National Petroleum Company
$.01 par common
American Safety Razor Company
$.01 par common
American Savings Bank of Florida
$.01 par common
Amerihost Properties, Inc.
$.005 par common
Amtran, Inc.
No par common
Auspex Systems, Inc.
$.001 par common
Bancfirst Ohio Corp.
$10.00 par common
Banco de Galicia y Buenos Aires S.A.
American Depositary Shares
Bankunited Financial Corporation (Florida)
Series 1993, $.01 par non-cumulative convertible preferred
Barrett Business Services, Inc.
$.01 par common
Base Ten Systems, Inc.
Class B, $1.00 par common
Bell Microproducts Inc.
$.01 par common
Black Hawk Gaming & Development Co., Inc.
$.001 par common
Class A, warrants (expire 12–31–94)
Class B, warrants (expire 06–30–96)
Blyth Holdings, Inc.
$.01 par common
Broadband Technologies, Inc.
$.01 par common
California Culinary Academy, Inc.
No par common
Cambridge Technology Partners (Massachusetts), Inc.
$.01 par common
Care Enterprises, Inc.
$.01 par common
Catalyst Semiconductor, Inc.
No par common
CDW Computer Centers, Inc.
$.01 par common
Celestial Seasonings, Inc.
$.01 par common
Charter Bancshares, Inc. (Texas)
$1.00 par common
Chattahoochee Bancorp, Inc. (Georgia)
$1.00 par common
Citizens Bancshares, Inc. (Ohio)
No par common
Citizens Federal Bank, a Federal Savings Bank (Florida)
8¾ Series A, noncumulative preferred
Clayton Williams Energy, Inc.
$.10 par common
Coastal Financial Corporation (South Carolina)
$.01 par common
Commercial Bank of New York
$5.00 par common
Communication Intelligence Corporation
$.01 par common
Concurrent Computer Corporation
$.01 par common
CPI Aerostructures, Inc.
$.001 par common
Warrants (expire 09–16–95)
CTL Credit, Inc.
$.01 par common
Cypros Pharmaceutical Corporation
No par common
Cyrk, Inc.
$.01 par common
D.I.Y. Home Warehouse, Inc.
No par common
Daig Corporation
$.01 par common
Delta and Pine Land Company
$.10 par common
Discovery Zone, Inc.
$.01 par common
Donnkenny, Inc.
$.01 par common
Dovatron International, Inc.
$.01 par common
Drug Emporium, Inc.
7.75% convertible debentures (due 2014)
Eagle Holdings, Inc.
No par common
ECCS, Inc.
$.01 par common
Edunetics Ltd.
Ordinary Shares, NIS .06 par value
Electroglas, Inc.
$.01 par common
Electronic Retailing Systems International, Inc.
$.01 par common
Equinox Systems, Inc.
$.01 par common
Erox Corporation

No par common
Evergreen Media Corporation
Class A, no par common
Excalibur Holding Corporation
$.00001 par common
F&M Bancorporation, Inc. (Wisconsin)
$.01 par common
FAR East National Bank (California)
$1.25 par common
FFBS Bancorp, Inc. (Mississippi)
$.01 par common
FFY Financial Corp. (Ohio)
$.01 par common
Fidelity New York F.S.B.
$.01 par common
FLIR Systems, Inc.
$.01 par common
Fourth Shift Corporation
$.01 par common
Frozen Food Express Industries, Inc.
$1.50 par common
Future Healthcare, Inc.
No par common
GAB Bancorp (Indiana)
$10.00 par common
General Communication, Inc.
Class A, no par common
Genzyme Transgenics Corporation
$.01 par common
George Mason Bankshares, Inc. (Virginia)
$1.66 par common
Geotek Industries
$.01 par common
Gold Reserve Corporation
No par common
Gotham Apparel Corporation
$.001 par common
Ground Round Restaurants, Inc.
$.1667 par common
Growth Financial Corp. (New Jersey)
$1.00 par common
Hallmark Healthcare Corporation
Class A, $.01 par common
Hamilton Financial Services Corporation
$.01 par common
Harmony Holdings, Inc.
$.01 par common
Harry's Farmers Market, Inc.
Class A, $.01 par common
Healthdyne Technologies, Inc.
$.01 par common
HEI Inc.
$.05 par common
Hollywood Casino Corporation
$.01 par common
Horizon Bancorp, Inc. (West Virginia)
$1.00 par common
Huntco Inc.
Class A, $.01 par common
Hyde Athletic Industries, Inc.
Class B, $.33⅓ par common
Image Business Systems Corporation
$.01 par common
Independence Bancorp, Inc. (New Jersey)
$1.667 par common
Industrial Scientific Corporation
$.10 par common
Information Resource Engineering, Inc.
$.01 par common
Interlinq Software Corporation
$.01 par common
International Imaging Materials, Inc.
$.01 par common
International Tourist Entertainment Corp.
$.001 par common
IRG Technologies, Inc.
$.01 par common
IVF America, Inc.
$.01 par common
Series A, $1.00 par cumulative convertible preferred
Jabil Circuit, Inc.
$.01 par common
Jackson County Federal Bank, a Federal Savings Bank (Oregon)
$1.00 par common
Kent Financial Services, Inc.
$.10 par common
Laser Vision Centers, Inc.
$.01 par common
Laurel Savings Association (Pennsylvania)
$1.00 par common
LCI International, Inc.
$.01 par common
LF Bancorp, Inc. (Mississippi)
$.01 par common
Lottery Enterprises, Inc.
$.01 par common
Lunn Industries, Inc.
$.01 par common
Magnetic Technologies Corporation
$.15 par common
Mariner Health Group, Inc.
$.01 par common
Martin Color-Fi, Inc.
No par common
MBLA Financial Corporation (Missouri)
$.01 par common
Medical Care America, Inc.
7% convertible debentures (due 2015)
Megahertz Corporation
$.004 par common
Megatest Corporation
$.001 par common
Metatec Corporation
Class A, $.01 par common
Metro Financial Corporation (Georgia)
$1.00 par common
MFS Communications Company, Inc.
$.01 par common
Microcarb Inc.
$.01 par common
Mississippi Valley Bancshares, Inc. (Missouri)
$1.00 par common
National Convenience Stores, Inc.
Warrants (expire 03–09–98)
National Home Centers, Inc.
$.01 par common
Northern Springs Co., Inc.
Class A, $.01 par common
Northstar Health Services, Inc.
$.01 par common
Northwestern Steel and Wire Company
$.01 par common
Norwood Promotional Products, Inc.
No par common
O'Reilly Automotive, Inc.
$.01 par common
Old America Stores, Inc.
$.01 par common
Opti, Inc.
No par common
Pacific International Services Corporation
No par common
Papa John's International, Inc.
$.01 par common
Paul Harris Stores, Inc.
$.01 par common
People's Bank (Connecticut)
8.5% Series A, No par convertible preferred
People's Choice TV Corp.
$.01 par common
Petroleum Geo-Services A/S
American Depositary Receipts
Phycor, Inc.
6.5% convertible subordinated debentures (due 2003)
Pinnacle Micro, Inc.
$.001 par common
Pittencrieff Communications, Inc.
$.01 par common
Primadonna Resorts, Inc.
$.01 par common
Projectavision, Inc.
$.0001 par common
Quad Systems Corporation
$.03 par common
Quality Products, Inc.
$.00001 par common
Random Access, Inc.
$.0001 par common
RE Capital Corporation
$.10 par common
Regal Cinemas, Inc.
No par common
Regional Acceptance Corporation
No par common
Reliable Life Insurance Company, The
Class A, $1.00 par common
Reno Air, Inc.
$.01 par common
Resource Mortgage Group, Inc. (South Carolina)
$.01 par common
Rexall Sundown, Inc.
$.01 par common
Rhodes, Inc.
$.01 par common
Robert Mondavi Corporation, The
Class A, No par common
Rochester Community Savings Bank, The
Series B, $1.00 par non-cumulative convertible preferred
Safety 1st, Inc.
$.01 par common
Sanmina Corp.
$.01 par common
Santa Cruz Operation, Inc., The

No par common
Satcon Technology Corporation
$.01 par common
Seaman Furniture Company, Inc.
$.01 par common
Shiloh Industries, Inc.
$.01 par common
Signal Technology Corporation
$.01 par common
Silver King Communications, Inc.
$.01 par common
Sodak Gaming, Inc.
$.01 par common
Spectrum Signal Processing Inc.
No par common
St. Francis Capital Corporation
$.01 par common
Stanley Furniture Company, Inc.
$.02 par common
State Financial Services Corporation
Class A, $.10 par common
Station Casinos, Inc.
$.01 par common
Stolt Comex Seaway S.A.
$2.00 par common
Summit Bancshares, Inc. (Texas)
$2.50 par common
Suncoast Savings & Loan Assoc. FSA
Series A, $5.00 par non-cumulative convertible preferred
Sundance Homes, Inc.
$.01 par common
Sunglass Hut International, Inc.
$.01 par common
Supreme International Corporation
$.01 par common
Swisher International, Inc.
$.01 par common
Warrants (expire 04–21–96)
T R Financial Corp.
$.01 par common
Telor Ophthalmic Pharmaceuticals, Inc.
$.001 par common
Therapeutic Discovery Corporation/Alza Corporation
Units (expire 12–31–99)
Titan Holdings, Inc.
$.01 par common
Titan Wheel International, Inc.
No par common
Touchstone Applied Science Associates, Inc.
$.0001 par common
Trico Bancshares (California)
No par common
United Mobile Homes, Inc.
$.10 par common
Valley Bancorp, Inc. (Pennsylvania)
$5.00 par common
West Coast Bancorp, Inc. (Florida)
$1.00 par common
Wind River Systems, Inc.
$.01 par common
Zaring Homes, Inc.
No par common

Deletion from the List of Foreign Margin Stocks

Joshin Denki Company, Ltd.
¥50 par common

By order of the Board of Governors of the Federal Reserve System, acting by its Director of the Division of Banking Supervision and Regulation pursuant to delegated authority (12 CFR 265.7(f)(10)), July 20, 1993.

William W. Wiles,

Secretary of the Board.

[FR Doc. 93–17665 Filed 7–23–93; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 33

[Docket No. 93–ANE–20; Special Conditions No. SC–93–01–NE]

Special Conditions; Light Helicopter Turbine Engine Company Model CTS800 Turboshaft Engine

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Light Helicopter Turbine Engine Company (LHTEC) Model CTS800 turboshaft engine. This engine has novel or unique engine ratings that are not defined by the applicable airworthiness regulations. These special conditions contain the additional safety standards which the Administrator considers necessary to establish a level of safety equivalent to that established by the airworthiness standards of part 33 of the Federal Aviation Regulations (FAR).

EFFECTIVE DATE: August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Chung Hsieh, Engine and Propeller Standards Staff, ANE–110, Engine and Propeller Directorate, Aircraft Certification Service, FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803–5229; telephone (617) 238–7116; fax (617) 238–7199.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 1989, the Light Helicopter Turbine Engine Company (LHTEC), petitioned the FAA for an exemption to FAR Section 33.7, Engine Ratings and Operating Limitations, for type certification of Model CTS800 turboshaft engine. The Model CTS800 engine is rated at 30-second One-Engine-Inoperative (OEI), 2-Minute OEI, 2½-Minute OEI, Continuous OEI, Takeoff, and Maximum continuous ratings.

The applicable airworthiness requirements do not contain 30-Second OEI and 2-Minute OEI rating definitions, and do not contain adequate or appropriate safety standards for the type certification of these new and unusual engine ratings.

Type Certification Basis

Under the provisions of § 21.17(a) of the FAR, LHTEC must show that the Model CTS800 turboshaft engine meets the requirements of the applicable regulations in effect on the date of the application. Those Federal Aviation Regulations are § 21.21 and part 33, effective February 1, 1965, as amended through Amendment 33–14.

The Administrator finds that the applicable airworthiness regulations in Part 33, as amended, do not contain adequate or appropriate safety standards for the LHTEC Model CTS800 turboshaft engine because of the new and unique engine ratings. Therefore, the Administrator prescribes special conditions under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations.

Special conditions, as appropriate, are issued in accordance with § 11.49 of the FAR after public notice and opportunity for comment, as required by §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with § 21.17(a)(2).

Novel or Unusual Design Features

The LHTEC Model CTS800 turboshaft engine has new and unique engine ratings.

Discussion of Comments

Interested person have been afforded the opportunity to participate in the making of these special conditions.

No comments were received on the special conditions as proposed.

After careful review of the available data, the FAA determined that air safety and the public interest require the adoption of the special conditions as proposed.

Conclusion

This action affects only certain novel or unusual design features on one model engine. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the engine.

List of Subjects in 14 CFR Part 33

Air transportation, Aircraft, Aviation safety, Safety.

The authority citations for these special conditions is as follows:

Authority: 49 U.S.C. App. 1354(a), 1421, 1423; and 49 U.S.C. 106(g).

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Light Helicopter Turbine Engine Company (LHTEC) Model CTS800 turboshaft engine:

1. In addition to the requirements of § 33.7, the following ratings are defined as:

(a) Rated 30-Second One-Engine-Inoperative (OEI) Power: The brake horsepower developed statistically in standard atmosphere at sea level, or at a specified altitude and temperature, for continued one-flight operation after the failure of one engine in multi-engine rotorcraft, limited to three periods of use, no greater than 30 seconds each at rotor shaft rotation speed and gas temperature established for this rating by part 33 or this special condition.

(b) Rated 2-Minute OEI Power: The brake horsepower, developed statically in standard atmosphere at sea level, or at a specified altitude and temperature, for continued one-flight operation, after failure of one engine in multi-engine rotorcraft, limited to three periods of use, of up to two minutes each, at rotor shaft rotation speed and gas temperature established for this rating by Part 33 or this special condition.

2. In addition to the requirements of § 33.4, the mandatory inspection and maintenance actions required, following the use of the 30-Second or 2-Minute OEI rating, must be included in the Airworthiness Limitations Section of the appropriate engine manuals.

3. In addition to the requirements of § 33.27, the following tests must be conducted for the most critically stressed rotor component of each turbine and compressor, including integral drum rotors, and centrifugal compressors. For a 30-Second and 2-Minute OEI conditions, test for a period of two and one-half minutes.

(a) At its maximum operating temperature, except as provided in § 33.27(c)(2)(iv); and

(b) At the highest speed determined, in accordance with § 33.27(c)(2)(i) through (vi).

(c) This test may be performed using a separate test vehicle if desired.

(d) Following the test based on the 30-Second OEI rating, rotor growth and distress beyond dimensional limits for an overspeed condition is permitted, provided the structural integrity of the rotor is maintained, as shown by a procedure acceptable to the Administrator.

4. In addition to the requirements of § 33.29, the engine must provide for a means:

(a) To indicate when the engine is at either 30-Second or 2-Minute OEI-rated power level; and

(b) To determine the elapsed time of operation at 2-Minute OEI and 30-Second OEI-rated power levels.

5. In addition to the requirements of § 33.67, the engine must provide for a means for automatic availability of the 30-second OEI power; and engine test runs must be performed to demonstrate automatic switching to a 30-Second OEI rating condition.

6. In addition to the requirements of § 33.85, tests performed at the 30-Second and 2-Minute OEI ratings, during the applicable endurance test prescribed in § 33.87, may be used to show compliance with the requirements of § 33.85.

7. In addition to the requirements of § 33.87, an engine test must be conducted four times, using the following test sequence, for a total of not less than 120 minutes:

(a) Takeoff power—three minutes at rated takeoff power.

(b) 30-Second OEI power—thirty seconds at rated 30-Second OEI power.

(c) 2-Minute OEI power—two minutes at rated 2-Minute OEI power.

(d) 30-Minute OEI, Continuous OEI, or Maximum continuous power—five minutes at rated 30-Minute OEI power, or rated Continuous OEI power, or rated Maximum continuous power, whichever is greatest, except that during the first test sequence this period shall be 65 minutes.

(e) Minimum flight power—one minute at minimum flight power.

(f) 30-Second OEI power—thirty seconds at rated 30-Second OEI power.

(g) 2-Minute OEI power—two minutes at rated 2-Minute OEI power.

(h) Idle power—one minute at Idle power.

8. In addition to the requirements of § 33.88, the following must be performed:

(a) For engines that do not provide a means for temperature limiting; conduct a test for a period of five minutes at the maximum permissible power-on RPM, with the gas temperature at least 75 degrees Fahrenheit higher than the 30-Second OEI rating operating temperature limit.

(b) For engines that provide a means for temperature limiting; conduct a test for a period of four minutes at the maximum permissible power-on RPM, with the gas temperature at least 35 degrees Fahrenheit higher than the 30-Second OEI rating operating temperature limit.

(c) A separate test vehicle may be used for each test.

(d) Following the test, rotor assembly growth and distress beyond serviceable limits for an overtemperature condition is permitted, provided the structural integrity of the rotor assembly is maintained, as shown by a procedure that is acceptable to the Administrator.

9. In addition to the requirements of § 33.93, this special condition requires that the engine be completely disassembled after completing the additional testing of § 33.87. The engine may exhibit deterioration in excess of that permitted in § 33.93(b), and may include some engine parts and components that may be unsuitable for further use.

It must be shown by procedures approved by the Administrator that the structural integrity of the engine, including mounts, cases, bearing supports, shafts and rotors, is maintained.

Issued in Burlington, Massachusetts, on July 15, 1993.

Jack A. Sain,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 93–17732 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 93–ANE–11; Amendment 39–8638; AD 93–14–14]

Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Pratt & Whitney (PW) JT8D series turbofan engines. This action requires initial and repetitive inspections of certain front compressor fan hubs and shotpeening the forward and aft rim to web radius. This amendment is prompted by reports of two front compressor fan hub fractures that resulted in release of fan blades and portions of the hub outer rim. The actions specified in this AD are intended to prevent fracture of the compressor fan hub, which can result in an uncontained engine failure and damage to the aircraft.

DATES: Effective August 10, 1993.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 10, 1993.

Comments for inclusion in the Rules Docket must be received on or before September 24, 1993.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93–ANE–11, 12 New England Executive Park, Burlington, MA 01803–5299.

The service information referenced in this AD may be obtained from Pratt & Whitney, Technical Publications Department, M/S 132–30, 400 Main Street, East Hartford, CT 06108. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mark A. Rumizen, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7137, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has received reports of two front compressor fan hub fractures on Pratt &

Whitney (PW) JT8D series turbofan engines. The front compressor fan hubs, Part Number (P/N) 817401, fractured releasing fan blades and portions of the hub outer rim. Both failures were uncontained and caused extensive damage to the aircraft. Subsequent to the hub failures, an inspection program identified four additional front compressor fan hubs that contained cracks in the forward rim to web radius area. Metallurgical examination, material testing, and investigation into the cause of the failures indicate that cracks can initiate in the forward or rear rim to web radius on hubs that have a polished surface and can propagate to fracture in high cycle fatigue due to high vibratory stresses.

The investigation has identified two sources of high vibratory stress that are capable of causing a crack to propagate to fracture once it has initiated. The FAA has determined that the probability of experiencing these stresses is highest for engines operating in the No. 2 position of Boeing 727 aircraft. Both hub failures occurred on engines operating in the No. 2 position on Boeing 727 aircraft. Therefore, the FAA will address this population in a more aggressive manner than engines installed in other aircraft, and in either the No. 1 or No. 3 positions on Boeing 727 aircraft. Also, the FAA will allow engines to be repositioned in locations other than the No. 2 position in Boeing 727 aircraft and will establish inspection intervals that are consistent with the installed vibratory environment.

The investigation has identified that cracks can initiate due to a reduction in fatigue strength incurred on the disk in the rim to web radius area. This reduction is attributed to a surface polishing operation performed during manufacture. This AD identifies the fan hubs by part and serial number that have had the surface polishing operation performed. The FAA has determined that cracks can initiate on certain front compressor fan hubs, and once initiated, can propagate to fracture in high cycle fatigue due to high vibratory stresses. This condition, if not corrected, can result in a fracture of the front compressor fan hub, which can result in an uncontained engine failure and damage to the aircraft.

The FAA has reviewed and approved the technical contents of PW Alert Service Bulletin (ASB) No. 6104, Revision 2, dated June 18, 1993, that describes procedures for initial and repetitive inspections for cracks in the forward and aft rim to web radius, and removal from service, if necessary, of front compressor fan hubs. In addition, the ASB describes procedures for shotpeening the forward and aft rim to web radius area of hubs that pass the inspections. The shotpeening operation provides improved fatigue strength of the material which will reduce the probability of crack initiation due to the surface polishing operation performed during manufacture.

Since an unsafe condition has been identified that is likely to exist or develop on other PW JT8D series turbofan engines of the same type design, this AD is being issued to prevent fractures and uncontained failures of certain front compressor fan hubs. This AD requires initial and repetitive inspections for cracks, and removal from service, if necessary, of certain front compressor fan hubs. Front compressor fan hubs installed on engines in the No. 2 position on Boeing 727 aircraft must be inspected according to a more aggressive schedule than other installations. In addition, this AD requires shotpeening the forward and aft rim to web radius area of hubs that pass the inspections. The actions are required to be accomplished in accordance with the alert service bulletin described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption "ADDRESSES." All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 93–ANE–11." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

93–14–14 Pratt & Whitney: Amendment 39–8638. Docket No. 93–ANE–11.

Applicability: Pratt & Whitney (PW) Model JT8D–9, –9A, –11, –15, –15A, –17, –17A, –17R, and –17AR turbofan engines containing front compressor fan hub Part Number (P/N) 817401 with the following serial numbers: J78892 through J80538, K32019 through K34018, L32197 through L34133, or M05722 through M07296; and all serial numbers of fan hubs P/N 594301, 640601, 743301, 749801, 750101, 791801, and 806001. These engines are installed on but not limited to Boeing 727 and 737 series, and McDonnell Douglas DC–9 series aircraft.

Compliance: Required as indicated, unless accomplished previously.

To prevent fracture of the front compressor fan hub, which can result in an uncontained engine failure and damage to the aircraft, accomplish the following:

(a) For front compressor fan hubs installed in engines in the No. 2 position on Boeing 727 aircraft on the effective date of this AD, or thereafter, inspect and shotpeen the front compressor fan hub in accordance with Appendix A, Appendix B, and Attachment 1 (NDIP–764) of PW Alert Service Bulletin (ASB) No. 6104, Revision 2, dated June 18, 1993, as follows:

(1) Initially inspect the front compressor fan hub as follows:

Total part cycles (TPC) on the effective date of this AD	Initial inspection interval
Over 18,001 TPC.	Inspect at the next shop visit, or within 300 cycles in service (CIS) after the effective date of this AD, whichever occurs first.
16,501 to 18,000 TPC.	Inspect at the next shop visit, or within 500 CIS after the effective date of this AD, whichever occurs first.
15,001 to 16,500 TPC.	Inspect at the next shop visit, or within 750 CIS after the effective date of this AD, whichever occurs first.
13,501 to 15,000 TPC.	Inspect at the next shop visit, or within 1,000 CIS after the effective date of this AD, whichever occurs first.
10,501 to 13,500 TPC.	Inspect at the next shop visit, or within 1,500 CIS after the effective date of this AD, whichever occurs first.
Less than 10,501 TPC.	Inspect at the next shop visit after accumulating 10,500 TPC, but not to exceed 12,000 TPC.

(2) Engines may be removed from the No. 2 position on Boeing 727 aircraft and reinstalled in any position other than the No. 2 position on Boeing aircraft prior to reaching the initial inspection interval specified in paragraph (a)(1) of this AD. Inspect and shotpeen front compressor fan hubs on repositioned engines in accordance with paragraph (b) of this AD.

(3) Remove front compressor fan hubs from service if cracks are found during the inspection process and replace with a serviceable hub.

(4) Shotpeen the front compressor fan hubs that pass the inspections required by paragraph (a)(1) of this AD, in accordance with Appendix B of PW ASB No. 6104, Revision 2, dated June 18, 1993, prior to returning the hub to service.

(5) Thereafter, inspect, shotpeen, and remove from service, if necessary, front compressor fan hubs that are reinstalled in the No. 2 position of Boeing 727 aircraft, in accordance with appendix A, appendix B, and Attachment 1 (NDIP–764), as applicable, of PW ASB No. 6104, Revision 2, dated June 18, 1993, as follows:

(i) For hubs that were last inspected and shotpeened with greater than 12,000 TPC upon inspection, inspect and shotpeen at the first shop visit after 2,500 CIS since last inspection, but prior to the accumulation of 8,000 CIS since last inspection.

(ii) For hubs that were last inspected and shotpeened with less than or equal to 12,000 TPC upon inspection, inspect and shotpeen at the first shop visit after 2,500 CIS since last inspection, or prior to accumulating 12,000 TPC, whichever occurs later, but not to exceed 8,000 CIS since last inspection.

(6) Engines may be removed from the No. 2 position on Boeing 727 aircraft and reinstalled in any position other than the No. 2 position on Boeing 727 aircraft prior to reaching the repetitive inspection interval specified in paragraph (a)(5) of this AD. Inspect and shotpeen front compressor fan hubs on repositioned engines in accordance with paragraph (b)(4) of this AD.

(b) For front compressor fan hubs installed in engines that are installed in any position other than the No. 2 position on Boeing 727 aircraft on the effective date of this AD, or thereafter, inspect and shotpeen the front compressor fan hubs in accordance with Appendix A, Appendix B, and Attachment 1 (NDIP–764) of PW ASB No. 6104, Revision 2, dated June 18, 1993, as follows:

(1) Initially inspect the front compressor fan hub at the next shop visit that occurs after 12,000 TPC.

(2) Remove front compressor fan hubs from service if cracks are found during the inspection process and replace with a serviceable hub.

(3) Shotpeen the front compressor fan hubs that pass the inspection requirements specified in paragraph (b)(1) of this AD, in accordance with Appendix B of PW ASB No. 6104, Revision 2, dated June 18, 1993, prior to returning the hub to service.

(4) Thereafter, inspect, shotpeen, and remove from service, if necessary, front compressor fan hubs that are not reinstalled in the No. 2 position on Boeing 727 aircraft, in accordance with Appendix A, Appendix B, and Attachment 1 (NDIP–764) of PW ASB No. 6104, Revision 2, dated June 18, 1993, when the front compressor fan hub is accessible at the detail level in the shop, or within 2,500 CIS since last inspection, whichever occurs later.

(5) Thereafter, inspect, shotpeen, and remove from service, if necessary, front compressor fan hubs that are reinstalled in the No. 2 position of Boeing 727 aircraft after the effective date of this AD in accordance with paragraph (a)(5) of this AD.

(c) Inspect and shotpeen front compressor fan hubs that were inspected and shotpeened prior to the effective date of this AD in accordance with Appendix A, Appendix B, and Attachment 1 (NDIP–764) of PW ASB No. 6104, dated December 21, 1992, or PW ASB No. 6104, Revision 1, dated May 21, 1993, in accordance with paragraph (a)(5) or (b)(4) of this AD, as applicable.

(d) For the purpose of this AD, a shop visit is defined as an engine removal where engine maintenance entails separation of pairs of mating engine flanges or the removal of a disk, hub, or spool.

(e) For the purpose of this AD, accessibility of a front compressor fan hub at the detail level in the shop is defined as engine maintenance that entails separation of the front compressor fan hub from the front compressor and removal of the fan blades.

(f) Report the front compressor fan hub part number, total time, and total cycles in service for each hub that passes the inspections defined in this AD, within 60 days after the inspection, to the Manager, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, FAA, 12 New England Executive Park, Burlington, Massachusetts, 01803–5299; fax (617) 238–7140; Telex 949301 FAANE BURL. For any hub that is found cracked, submit the information requested in paragraph B of Part 4, of the Accomplishment Instructions of PW ASB No. 6104, Revision 2, dated June 18, 1993, within 60 days after the inspection to the Manager, Engine Certification Office, at the address identified above. The reporting requirements of this AD terminate one year after the effective date of this AD. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520) and have been assigned OMB Control Number 2120–0056.

(g) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(h) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(i) The inspections and shotpeening shall be done in accordance with the following PW ASB:

ASB No.	Pages	Revision	Date
PW ASB No. 6104	1	2	June 18, 1993.
	2 and 3	1	May 21, 1993
	4	2	June 18, 1993
	5 and 6	1	May 21, 1993
	7	2	June 18, 1993
	8 thru 13	1	May 21, 1993
with Attachment No. NDIP–764	1–13	Original	Dec. 8, 1992.

Total pages: 26.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Pratt & Whitney, Technical Publications Department, M/S 132–30, 400 Main Street, East Hartford, CT 06108. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on August 10, 1993.

Issued in Burlington, Massachusetts, on July 15, 1993.

Jack A. Sain,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 93–17649 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 39

[Docket No. 93–ANE–33; Amendment 39–8604; AD 93–10–51]

Airworthiness Directives; Pratt & Whitney Canada Auxiliary Power Unit Model PW901A

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule, request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) T93–10–51 that was sent previously to all known U.S. owners and operators of Pratt & Whitney Canada (P&WC) auxiliary power unit (APU) Model PW901A, Part No. 3910001, installed on but not limited to Boeing Model 747–400 aircraft by individual telegrams. This AD requires the removal of the APU oil strainer element allowing failure of the scavenge gear pump in the event of internal gearbox failure, and inspection of gearbox chip detectors at regular intervals. This amendment is prompted by two reports of incidents involving smoke entering the aircraft passenger cabin after gear failure in the P&WC Model PW901A APU. The actions specified by this AD are intended to prevent APU gear failure, which can result in smoke contamination of aircraft passenger cabins.

DATES: Effective August 10, 1993, to all persons except those persons to whom it was made immediately effective by telegraphic AD T93–10–51, issued May 20, 1993, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 10, 1993.

Comments for inclusion in the Rules Docket must be received on or before September 24, 1993.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 93–ANE–33, 12 New England Executive Park, Burlington, MA 01803–5299.

The applicable service information may be obtained from Pratt & Whitney Canada, 1000 Marie-Victorin, Longueil, Quebec, Canada J4G 1A122. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Nicholas Minniti, Aerospace Engineer, Propulsion Branch, ANE–174, New York Aircraft Certification Office, FAA, Engine and Propeller Directorate, 181 South Franklin Avenue, room 202, Valley Stream, New York 11581; telephone (516) 791–7421; fax (516) 791–9024.

SUPPLEMENTARY INFORMATION: On May 20, 1993, the Federal Aviation Administration (FAA) issued telegraphic AD T93–10–51, applicable to Pratt & Whitney Canada (P&WC) auxiliary power unit (APU) Model PW901A, Part No. 3910001, installed on but not limited to Boeing Model 747–400 aircraft, which requires the removal of the APU oil strainer element allowing failure of the scavenge gear pump in the event of internal gearbox failure, and inspection of gearbox chip detectors at regular intervals. That action was prompted by two reports of incidents involving smoke entering the aircraft passenger cabin after gear failure in the P&WC Model PW901A APU. The failures occurred in the compressor load gearbox (LGB) cooling fan idler gear and the fan drive gear shaft. Investigation reveals that debris chips from the failed gears blocked the APU LGB oil scavenge pump strainer and allowed the LGB to flood with oil. The oil then entered the load compressor air system, and contaminated the cabin air. This condition, if not corrected, can result in APU gear failure, which can result in smoke contamination of aircraft passenger cabins.

Pratt & Whitney Canada has issued Alert Service Bulletin (ASB) No. A16159R1, dated May 12, 1993, specifying the procedures for removal of the oil strainer element from the load gearbox. This procedure would allow the APU to shut down automatically due to low oil pressure if gear failures occur, preventing LGB flooding. Transport Canada, which is the airworthiness authority of Canada, classified this ASB as mandatory and issued Canadian emergency AD CF–93–09, dated May 13, 1993, in order to assure the airworthiness of these APU's in Canada.

This APU is manufactured in Canada and is installed in type certificated aircraft for operation in the United

States. The APU is FAA approved under the provisions of § 21.617 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since the unsafe condition described is likely to exist or develop on other engines of the same type design, the FAA issued telegraphic AD T93–10–51 to prevent smoke contamination of aircraft passenger cabins. The AD requires the removal of the APU load gearbox scavenge pump oil strainer element, and inspect, at specified intervals, the APU LGB and accessory gearbox magnetic chip detectors. These actions are required to be accomplished in accordance with P&WC ASB No. A16159R1, dated May 12, 1993, and the appropriate aircraft maintenance manual.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual telegrams issued on May 20, 1993, to all known U.S. owners and operators of P&WC APU Model PW901A, Part No. 3910001, installed on but not limited to Boeing Model 747–400 aircraft. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to § 39.13 of part 39 of the Federal Aviation Regulations (FAR) to make it effective to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 93–ANE–33." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

93–10–51 Pratt & Whitney Canada: Amendment 39–8604. Docket 93–ANE–33.

Applicability: Pratt & Whitney Canada (P&WC) auxiliary power unit (APU) Model PW901A, Part No. 3910001, installed on but not limited to Boeing Model 747–400 aircraft.

Compliance: Required as indicated, unless accomplished previously.

To prevent APU gear failure, which can result in smoke contamination of aircraft passenger cabins, accomplish the following:

(a) Within 10 APU hours, or 5 days after the effective date of this airworthiness directive (AD), whichever occurs first, in accordance with P&WC Alert Service Bulletin No. A16159R1, dated May 12, 1993:

(1) Disassemble the APU load gearbox and remove the scavenge pump oil strainer element, Part No. (P/N) 3107647–01; and

(2) Reassemble APU load gearbox, reinstalling the existing chip detector, P/N 3910098–01, and adapter, P/N 3910242–01.

(b) Within 10 APU operating hours, or 5 days after the effective date of this AD, whichever occurs first:

(1) Inspect the APU load gearbox and accessory gear box magnetic chip detectors in accordance with the appropriate aircraft maintenance manual; and

(2) Thereafter, inspect the chip detectors at intervals not to exceed 150 APU operating hours since the last inspection.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, New York Aircraft Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York Aircraft Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the New York Aircraft Certification Office.

(d) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The removal and inspections shall be done in accordance with the following alert service bulletin:

Document No.	Pages	Revision	Date
PWC No. A16159R1. Total pages: 4.	1–4	1	May 12, 1993.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Pratt & Whitney Canada, 1000 Marie-Victorin, Longueil, Quebec, Canada J4G 1A1. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective August 10, 1993, to all persons except those persons to whom it was made immediately effective by telegraphic AD T93–10–51, issued May 20, 1993, which contained the requirements of this amendment.

Issued in Burlington, Massachusetts, on July 15, 1993.

Jack A. Sain,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 93–17648 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–P

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14 CFR Part 73

[Airspace Docket No. 93–AWP–12]

Consolidation of Restricted Areas R–2509 and R–2524; California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action consolidates Restricted Areas R–2509 Superior Valley, CA, and R–2524 Trona, CA, under the designation R–2524. The consolidated restricted area does not encompass any additional special use airspace beyond that which was previously encompassed in R–2509 and R–2524. Further, there are no changes to the altitudes, times of designation, or activities conducted within the consolidated Restricted Area R–2524.

EFFECTIVE DATE: 0901 u.t.c., September 16, 1993.

FOR FURTHER INFORMATION CONTACT: Diane Bodenhamer, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3178.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations consolidates Restricted Areas R–2509 Superior Valley, CA, and R–2524 Trona, CA, under the designation R–2524 Trona, CA. The consolidated restricted area does not encompass any additional special use airspace beyond that which was previously encompassed in R–2509 and R–2524. There are no changes to altitudes, times of designation, or activities conducted within the consolidated Restricted Area R–2524. This action has been initiated by the Department of the Navy and is being taken as a result of the closure of George AFB, CA, the current using agency for R–2509. Because this action is a minor technical amendment in which the public would not be particularly interested, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary. The coordinates for this airspace docket are based on North American Datum 83. Section 73.25 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8A dated March 3, 1993.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will not affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This action does not alter the overall dimensions of restricted airspace, nor is the mission conducted within the airspace changed. It consolidates two existing areas into one. Accordingly, this action will have no effect on current air traffic procedures or on routing or altitude of civil aircraft operations in the area. The FAA, therefore, finds that there will be no significant impact on the environment as a result of this action.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510, 1522; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 73.25 [Amended]

2. Section 73.25 is amended as follows:

R–2509 Superior Valley, CA [Removed]

R–2524 Trona, CA [Amended]

By removing the present boundaries and substituting the following:

Boundaries. Beginning at lat. 35°47'46"N., long. 116°55'23"W.; to lat. 35°15'56"N., long. 116°55'23"W.; to lat. 35°15'56"N., long. 117°26'03"W.; to lat. 35°36'00"N., long. 117°26'03"W.; to lat. 35°36'00"N., long. 117°16'55"W.; to lat. 35°47'46"N., long. 117°16'55"W.; to the point of beginning.

Issued in Washington, DC, on July 16, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–17741 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 73

[Airspace Docket No. 93–AWP–6]

Amendment to Restricted Area R–2517; California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action changes the title of Restricted Area R–2517, "Naval Missile Facility, Point Arguello, CA," to "Vandenberg AFB, CA." This action also removed the present controlling agency designation, because this area is not joint use airspace, and changes the using agency for R–2517. These are administrative changes initiated by the U.S. Air Force to accurately describe R–2517. There are no changes to the boundaries, altitudes, times of designation, or activities conducted within R–2517.

EFFECTIVE DATE: 0901 u.t.c., September 16, 1993.

FOR FURTHER INFORMATION CONTACT: Diane Bodenhamer, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–3178.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations changes the title of R–2517 from "Naval Missile Facility Point Arguello, CA," to "Vandenberg AFB, CA." This action also removes the present controlling agency designation, because this area is not joint use airspace, and changes the using agency from "Western Space and Missile Center (MSMC)/SE, Vandenberg AFB, CA," to "U.S. Air Force, Commander, 30th Space Wing (30 SPW/CC), Vandenberg AFB, CA." These administrative changes were initiated by the U.S. Air Force to reflect its reorganization. Because this action is a minor technical amendment in which the public is not particularly interested, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary. Section 73.25 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8A dated March 3, 1993.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will not affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This action is an administrative change and does not affect the boundaries, altitudes, times of use, or activities of the restricted area. Accordingly, this action will have no effect on current air traffic procedures or routing of civil aircraft operations in the area. The FAA, therefore, finds that there will be no significant impact on the environment as a result of this action.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510, 1522; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 73.25 [Amended]

2. § 73.25 is amended as follows:

R–2517 Naval Missile Facility Point Arguello, CA [Amended]

By removing the title "Naval Missile Facility Point Arguello, CA" and inserting in its place "Vandenberg AFB, CA;" by removing the controlling agency; and by removing the using agency, "Western Space and Missile Center (WSMC)/SE, Vandenberg AFB, CA," and inserting in its place "U.S. Air Force, Commander, 30th Space Wing (30 SPW/CC), Vandenberg AFB, CA."

Issued in Washington, DC, on July 16, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–17735 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 73

[Airspace Docket No. 92–AEA–10]

Proposed Subdivision of Restricted Areas R–6608A, R–6608B, and Establishment of Restricted Area R–6608C; VA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action subdivides the common boundaries of Restricted Areas R–6608A and B and establishes R–6608C. This action will facilitate the effectual use of airspace near Washington Dulles Tower.

EFFECTIVE DATE: 0901 u.t.c., September 16, 1993.

FOR FURTHER INFORMATION CONTACT: Lee Powell, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9327.

SUPPLEMENTARY INFORMATION:

History

On April 9, 1993, the FAA proposed to amend part 73 of the Federal Aviation Regulations (14 CFR part 73) to subdivide the internal boundaries of Restricted Areas R–6608A and B and to establish R–6608C in the vicinity of Quantico, VA (58 FR 18351). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Section 73.66 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8A dated March 3, 1993. The coordinates for this airspace docket are based on North American Datum 83.

The Rule

This amendment to part 73 of the Federal Aviation Regulations subdivides the internal boundaries of Restricted Area R–6608A and B and establishes R–6608C in the vicinity of Quantico, VA. This modification resulted from negotiations between the FAA and the U.S. Marine Corps in Quantico, VA. These changes are completely contained within existing restricted airspace. No additional restricted airspace is created by this action. Also, this action decreases the burden on the public by releasing more airspace to the public when Restricted Area R–6608C is not in use, thereby enhancing the flow of air traffic in the area.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This action does not alter the dimensions of restricted airspace, nor is the mission conducted within the airspace changed. It divides two existing areas into three and will facilitate operations at Dulles International Airport. Accordingly, this action reduces coordination requirements without increasing flight activity within the area. There will be no significant impact on the environment as a result of this action.

List of Subjects in 14 CFR Part 73

Aviation safety, Restricted areas.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510, 1522; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 73.66 [Amended]

2. § 73.66 is amended as follows:

R–6608A Quantico, VA [Amended]

Boundaries. Beginning at lat. 38°35'10"N., long. 77°34'06"W.; to lat. 38°37'00"N., long. 77°34'06"W.; to lat. 38°37'50"N., long. 77°32'19"W.; to lat. 38°37'17"N., long. 77°27'44"W.; to lat. 38°35'35"N., long. 77°27'44"W.; to the point of beginning.

Designated altitudes. Surface to 10,000 feet MSL.

Time of designation. 0500 to 2400 local time daily; other times by NOTAM 24 hours in advance.

Controlling agency. FAA, Dulles ATCT.

Using agency. U.S. Marine Corps, Commanding General, Marine Corps Development and Education Command, Quantico, VA.

R–6608B Quantico, VA [Amended]

Boundaries. Beginning at lat. 38°35'10"N., long. 77°34'06"W.; to lat. 38°35'35"N., long. 77°27'44"W.; to lat. 38°29'31"N., long. 77°27'44"W.; to lat. 38°29'00"N., long. 77°28'44"W.; to lat. 38°31'20"N., long. 77°34'06"W.; to the point of beginning.

Designated altitudes. Surface to 10,000 feet MSL.

Time of designation. 0500 to 2400 local time daily; other times by NOTAM 24 hours in advance.

Controlling agency. FAA, Dulles ATCT.

Using agency. U.S. Marine Corps, Commanding General, Marine Corps Development and Education Command, Quantico, VA.

R–6608C Quantico, VA [New]

Boundaries. Beginning at lat. 38°37'17"N., long. 77°27'44"W.; to lat. 38°37'00"N., long. 77°25'33"W.; to lat. 38°34'00"N., long. 77°23'59"W.; to lat. 38°31'15"N., long. 77°24'19"W.; to lat. 38°29'31"N., long. 77°27'44"W.; to the point of beginning.

Designated altitudes. Surface to 10,000 feet MSL.

Time of designation. 0500 to 2400 local time daily; other times by NOTAM 24 hours in advance.

Controlling agency. FAA, Dulles ATCT.

Using agency. U.S. Marine Corps, Commanding General, Marine Corps Development and Education Command, Quantico, VA.

Issued in Washington, DC, on July 16, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–17736 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 93–ANE–27]

Name Change of Controlling Agencies for Restricted Areas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action changes the name of the controlling agencies for R–4101, R–4102A, R–4102B, R–4105A, R–4105B and R–5202, in Massachusetts and New York. These changes are necessary to reflect the name changes in the air traffic control (ATC) facilities. There are no changes to the boundaries, altitudes, times of designation, or activities conducted within the affected restricted areas.

EFFECTIVE DATE: 0901 u.t.c., September 16, 1993.

FOR FURTHER INFORMATION CONTACT: Lee Powell, Military Operations Program Office (ATM–420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–9327.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations changes the name of the controlling agencies for R–4102A and R–4102B, from "FAA, Boston Control Tower" to "FAA, Boston Approach Control"; R–4101, R–4105A and R–4105B, from "FAA, Otis Approach Control" to "FAA, Cape Approach Control"; and R–5202, from "FAA, Quonset RATCF" to "FAA, Providence Approach Control". Because this amendment only changes the names of the controlling agencies, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public is not particularly interested. Sections 73.41 and 73.52 of part 73 of the Federal Aviation Regulations were republished in FAA Order 7400.8A dated March 3, 1993.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is an administrative change, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This action is an administrative change and does not affect the boundaries, altitudes, times of use, or activities of the restricted areas. Accordingly, this action will have no effect on current air traffic procedures or routing of civil aircraft operations in the area. The FAA, therefore, finds that there will be no significant impact on the environment as a result of this action.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510, 1522; E.O. 10854; 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 73.41 [Amended]

2. In each designation listed below remove the words "FAA Otis Approach Control" for the controlling agency and insert, in their place, the words, "FAA, Cape Approach Control":

(a) R–4101 Camp Edwards, MA
(b) R–4105A No Man's Land Island, MA
(c) R–4105B No Man's Land Island, MA

3. In addition to the amendment set forth above, in each designation listed below remove the words "FAA, Boston Control Tower" for the controlling agency and insert, in their place, the words "FAA, Boston Approach Control":

(a) R–4102A Fort Devens, MA
(b) R–4102B Fort Devens, MA

§ 73.52 [Amended]

4. The designation for "R–5202 Gardiner's Island, NY" in § 73.52 is amended by removing the words "FAA,

Quonset RATCF" for the controlling agency and inserting, in their place, "FAA, Providence Approach Control".

Issued in Washington, DC, on July 15, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–17737 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

15 CFR Part 19

[Docket No. 930489–3089]

RIN 0690–AA20

Referral of Debts to the Internal Revenue Service for Tax Refund Offset

AGENCY: Department of Commerce (DOC).

ACTION: Interim rule with request of comments.

SUMMARY: The Department of Commerce, as a participant in the Federal Tax Refund Offset Program, issues regulations to govern the referral of delinquent debts to the Internal Revenue Service (IRS) for offset against the income tax refunds of persons owing money to the DOC. These regulations are authorized by the Deficit Reduction Act of 1984 (the Act).

Section 2653 of the Act allows the DOC to collect debts by means of offset from the income tax refunds of persons owing money to the DOC provided certain conditions are met. This rule adds regulations to establish procedures to be followed by DOC in requesting the IRS to offset tax refunds due to taxpayers who have past-due legally enforceable debt obligations to the DOC.

DATES: Interim rule is effective on July 26, 1993. Written comments must be received on or before September 24, 1993.

ADDRESSES: Send comments to: U.S. Department of Commerce, Office of Financial Management, room 6827, 14th & Constitution Ave. NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Robert J. Mallet, (202) 482–4593.

SUPPLEMENTARY INFORMATION: This interim rule provides procedures for the DOC to refer past-due legally enforceable debts to the IRS for offset against the income tax refunds of persons owing debts to the DOC. This rule is authorized by section 2653 of the Deficit Reduction Act of 1984 (31 U.S.C. 3720A). The purpose of the Act is to improve the ability of the Government to collect money owed it while adding certain notice requirements and other protections applicable to the Government's relationship to the debtor. This rule implements section 2653 of the Act which directs any Federal agency that is owed a past-due legally enforceable debt by a named person to notify the Secretary of the Treasury in accordance with the regulations issued by the Department of the Treasury at 26 CFR 301.6402–6. Before an Agency may give such notice, however, it must first: (1) Notify the debtor that the agency proposes to refer the debt for a tax refund deduction; (2) give the debtor sixty (60) days from the date of notification to present evidence that all or part of the debt is not past due or legally enforceable; (3) consider any evidence presented by the debtor and determine whether any amount of such debt is past-due and legally enforceable; and (4) satisfy such other conditions as the Secretary of the Treasury may prescribe to ensure that the agency's determination is valid and that the agency has made reasonable efforts to obtain payment of the debt. This rule, in accordance with IRS regulations, provides that before the DOC refers a debt to the Department of the Treasury (through IRS), a notice of intention (Notice of Intent) will be sent to the debtor. This Notice of Intent will inform the debtor of the amount of the debt and that, unless the debt is repaid within sixty (60) days from the date of the DOC's Notice of Intent, the DOC intends to collect the debt by requesting the IRS to offset any tax refund payable to the debtor. In addition, the Notice of Intent will state that the debtor has a right, during such period, to present evidence that all or part of the debt is not past-due or legally enforceable. This rule also establishes procedures for the debtor who intends to present such evidence.

Executive Order 12291

This rule has been reviewed in accordance with Executive Order 12291. The rule is not classified as a major rule because it does not have the gross effects on the economy, States, or the public which are required to classify the rule as "major" and to warrant preparation of a formal regulatory impact analysis.

Executive Order 12612

Executive Order 12612 requires that regulations or rules be reviewed for direct effects on States, on the relationship between the national Government and the States, or on the distribution of power among various levels of Government. If there are sufficient substantial direct effects, then E.O. 12612 requires preparation of a federalism assessment to be used in all decisions involved in promulgating or implementing a regulation or rule.

This regulation applies to private persons and does not affect any traditional State function. There are, therefore, no substantial direct effects requiring evaluation or assessment under E.O. 12612.

Public Comments

Pursuant to the agreement between the IRS, the Financial Management Service, and the DOC regarding the DOC's participation in the Tax Refund Offset Program for 1994, the DOC is required to have promulgated regulations regarding referral of debts to the IRS for tax refund offset prior to the DOC's participation in the program. The DOC is issuing interim final regulations to take effect today in order to fulfill that requirement. The advance notice, opportunity for prior public comment, and thirty (30) day delayed effectiveness requirements of 5 U.S.C. 553 do not apply to this interim final rule, or are unnecessary because it is primarily procedural and, to the extent it is not, it merely restates existing provisions of statutory law. Moreover, issuance of immediately effective interim final regulations does not prejudice the due process rights of debtors and is essential in order to participate in the 1994 program. Written comments are solicited for sixty (60) days after publication of this document. A final document discussing any comments received and revisions required will be published in the **Federal Register** as soon as possible.

Regulatory Flexibility Act

For the reasons explained above, no statute requires prior notice and opportunity for public comment for this interim rule. Therefore, the Regulatory Flexibility Act does not apply.

Paperwork Reduction Act

This rule does not contain information collection requirements subject to the Paperwork Reduction Act.

National Environmental Policy Act

Promulgation of this rule does not represent a major Federal action with significant environmental assessment or environmental impact statement under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et sq.*) is not required.

Other Matters

These procedures are being codified in the Department's regulations for general information and are pursuant to

statutory requirements regarding publication of rules of procedure in the Federal Register, 5 U.S.C. 553(a)(1)(C). However, the procedures described in the rule will be utilized before the rule becomes effective with respect to persons who are provided actual notice of the procedures through the notices required under the regulations. See 5 U.S.C. 552(a)(1).

List of Subjects in 15 CFR Part 19

Administrative practice and procedure, Claims.

In consideration of the foregoing, the Department of Commerce hereby amends title 15 of the Code of Federal Regulations by adding a new part 19 as set forth below.

PART 19—REFERRAL OF DEBTS TO THE IRS FOR TAX REFUND OFFSET

Sec.
19.1 Purpose.
19.2 Applicability and scope.
19.3 Administrative charges.
19.4 Notice requirement before offset.
19.5 Review within the Department.
19.6 Departmental determination.
19.7 Stay of offset.

Authority: 31 U.S.C. 3720A; Public Law 98–369; 98 Stat. 1153.

§ 19.1 Purpose.

This part establishes procedures for the Department of Commerce (DOC) to refer past-due debts to the Internal Revenue Service (IRS) for offset against the income tax refunds of persons owing debts to the DOC. It specifies the agency procedures and the rights of the debtor applicable to claims for payment of debts owed to the DOC.

§ 19.2 Applicability and scope.

(a) These regulations implement 31 U.S.C. 3720A which authorizes the IRS to reduce a tax refund by the amount of a past-due legally enforceable debt owed to the United States.

(b) For purposes of this section, a past-due legally enforceable debt referable to the IRS is a debt which is owed to the United States and:

(1) Except in the case of a judgment debt, has been delinquent for at least three months but has not been delinquent for more than ten years at the time the offset is made;

(2) Cannot be currently collected pursuant to the salary offset provisions of 5 U.S.C. 5514(a)(1);

(3) Is ineligible for administrative offset under 31 U.S.C. 3716(a) by reason of 31 U.S.C. 3716(c)(2) or cannot be collected by administrative offset under 31 U.S.C. 3716(a) by the Department against amounts payable to or on behalf of the debtor by or on behalf of the Department;

(4) With respect to which, the DOC has given the taxpayer at least 60 days from the date of notification to present evidence that all or part of the debt is not past-due or legally enforceable, the DOC has considered evidence presented by such taxpayer, and has determined that an amount of such debt is past-due and legally enforceable;

(5) Has been disclosed by the DOC to a consumer reporting agency as authorized by 31 U.S.C. 3711(f), unless a consumer reporting agency would be prohibited from using such information by 15 U.S.C. 1681c, or unless the amount of the debt does not exceed $100.00;

(6) With respect to which, the DOC has notified or has made a reasonable attempt to notify the taxpayer that the debt is past-due and, unless repaid within 60 days thereafter, will be referred to the IRS for offset against any overpayment of taxes;

(7) Is at least $25.00;

(8) With respect to which, all other requirements of 31 U.S.C. 3720A and the Department of the Treasury regulations codified at 26 CFR 301.6402–6 relating to the eligibility of a debt for tax refund offset have been satisfied.

§ 19.3 Administrative charges.

In accordance with 4 CFR part 102, all administrative charges incurred in connection with the referral of a debt to the IRS shall be assessed on the debt and thus increase the amount of the offset.

§ 19.4 Notice requirement before offset.

A request for a reduction of an IRS tax refund will be made only after the DOC makes a determination that an amount is owed and past-due and provides the debtor with sixty (60) days written notice. The DOC's notice of intention to collect by IRS tax refund offset (Notice of Intent) will include:

(A) The amount of the debt;

(b) A statement that unless the debt is repaid within sixty (60) days from the date of the DOC's Notice of Intent, DOC intends to collect the debt by requesting that the IRS reduce any amounts payable to the debtor as refunds of Federal taxes paid by an amount equal to the amount of the debt plus accumulated interest and other charges;

(c) A statement that the debtor has the right to present evidence that all or part of the debt is not pass-due or legally enforceable;

(d) A mailing address for forwarding any written correspondence and a contact name and phone number for any questions.

§ 19.5 Review within the Department.

(a) *Notification by debtor.* A debtor who receives a Notice of Intent has the right to present evidence that all or part of the debt is not past-due or not legally enforceable. To exercise this right, the debtor must:

(1) Send a written request for a review of the evidence to the address provided in the notice.

(2) State in the request the amount disputed and the reasons why the debtor believes that the debt is not past-due or legally enforceable.

(3) Include in the request any documents which the debtor wishes to be considered or state that additional information will be submitted within the remainder of the sixty (60) day period.

(b) *Submission of evidence.* The debtor may submit evidence showing that all or part of the debt is not past-due or not legally enforceable along with the notification required by paragraph (a) of this section. Failure to submit the notification and evidence within sixty (60) days will result in an automatic referral of the debt to the IRS without further action by the DOC.

(c) *Review of the evidence.* DOC will consider all available evidence related to the debt. Within 30 days of the debtor's complete and timely response, if feasible, DOC will notify the debtor whether DOC has sustained, amended, or canceled its determination that the debt is past-due and legally enforceable.

§ 19.6 Departmental determination.

(a) Following review of the evidence, DOC will issue a written decision which will include the supporting rationale for the decision.

(b) If DOC either sustains or amends its determination, it shall notify the debtor of its intent to refer the debt to the IRS for offset against the debtor's Federal income tax refund. If DOC cancels its original determination, the debt will not be referred to the IRS.

§ 19.7 Stay of offset.

If the debtor timely notifies the DOC that he or she is exercising the right described in § 19.5(a) and timely submits evidence in accordance with § 19.5(b), any notice to the IRS will be stayed until the issuance of a written decision which sustains or amends the DOC's original determination.

Issued in Washington, DC, on July 15, 1993.

Clyde G. McShan, II,

Deputy Chief Financial Officer.

[FR Doc. 93–17757 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–17–M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 4

[T.D. 93–57]

Vessel Repair Applications for Relief from Duty

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to increase the monetary jurisdictional authority of the three Customs Regional Vessel Repair Liquidation Units to decide whether to approve or disapprove certain applications for relief from the assessment of duties under the vessel repair statute. The increased authority is effective only in cases in which specifically applicable Customs Headquarters precedent exists. The effect of the amendment will be to expedite the disposition of routine cases and ensure earlier collection of vessel repair duties.

EFFECTIVE DATE: August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Bruce Friedman, Office of Trade Operations, 202–927–0300 (operational matters), or Larry L. Burton, 202–482–6940 (legal matters).

SUPPLEMENTARY INFORMATION:

Background

Section 1466 of title 19 of the United States Code provides that a duty of 50 per cent ad valorem shall be assessed upon the value of repairs accomplished outside of the United States on certain American-flag vessels. The statute itself as well as numerous judicial and administrative interpretations provide exceptions to the assessment of duty under specific circumstances.

The statutory mandate is implemented under § 4.14 of the Customs Regulations (19 CFR 4.14), which provides the necessary working guidelines for Customs as well as vessel operators. Among the matters set forth in section 4.14 are the procedures for seeking administrative refund or remission of assessed duty. Necessary evidence is gathered in one of three Vessel Repair Liquidation Units; the units are located in the New York Customs Region (New York, New York), the South Central Customs Region (New Orleans, Louisiana), and the Pacific Customs Region (San Francisco). Each of these locations is presently empowered to consider and decide initial requests for duty refund or remission (Application for Relief) when there exists clear Customs Headquarters precedent regarding the matter under consideration and when the decision will result in a refund or remission of less than $2,500 in duty (19 CFR 4.14(c)(2)).

Section 4.14 was significantly revised in 1980 by publication in the **Federal Register** of Treasury Decision 80–237 (45 FR 46560), September 30, 1980. The Customs field jurisdictional amount was first made a part of the Customs Regulations with that publication. At that time, the limit for field determination was set at $2,500 because to set it at a higher suggested limit would "preclude a central review of major issues" by Customs Headquarters.

Over the intervening years, the cost of foreign shipyard operations which give rise to "major issues" has been significantly inflated. In consideration of this factor, together with the development of necessary Customs expertise outside of Headquarters, Customs proposed in a document published in the **Federal Register** (57 FR 40627) on September 4, 1992, that it was appropriate that the jurisdictional limitation for determinations in the Regional Vessel Repair Liquidation Units be increased to $50,000 in cases in which there exists clear Customs Headquarters precedent.

Discussion of Comments

Three comments were received in response to the published proposal. Two of the comments expressed general support for the proposal but raised certain concerns. The third comment suggested that monetary limitations not be determinative for purposes of forwarding vessel repair cases to Customs Headquarters for review. A discussion of the comments follows.

The first commenter suggests that there be no monetary limitation at all placed upon jurisdictional determinations concerning the disposition of Applications for Relief from the assessment of vessel repair duties.

As indicated earlier, increase in the field jurisdiction from $2,500 to a new limit of $50,000 was proposed to take into account modern commercial realities as well as development of expertise outside of Headquarters. The new amount would represent a twenty-fold increase in field unit monetary authority. While Customs believes this increase is justified, it still believes a monetary limit is necessary to permit a central review of duty issues that exceed $50,000.

The second commenter appreciates the attempt to expedite the processing of entries by retaining more of them for processing outside of Customs Headquarters, but questions the readiness of the three regional liquidation units to handle the increased delegation. It is urged that while increasing field authority, Headquarters should institute a quality assurance mechanism to ensure proper field disposition of Applications for Relief.

It should be remembered that the increase in field jurisdiction is intended to go only to the consideration of Applications for Relief, the first of three administrative relief vehicles available to vessel operators. Mechanisms are already built into the process in the form of Petitions for Review and Protests. These are utilized by vessel operators who may wish to appeal an adverse determination rendered on an Application for Relief. No change in the regulation as proposed is required.

The third and final commenter supports the increase in field authority, but is concerned that it may not receive sufficient information regarding decisions by the field as to why a particular item for which relief is sought is considered dutiable. Further, it is suggested that a time limit be placed on the Customs processing of Applications for Relief.

It is our experience that the field units are most responsive to inquiries from vessel operators regarding the justification for a particular determination. Customs Headquarters has not heard complaints from vessel operators about any lack of cooperation or the withholding of needed information by field units. We believe that the field units do a creditable job in supplying any necessary information to vessel operators. Finally, we believe that the imposition of any time limits as suggested would be unworkable since long delays often occur in the submission of vital information by the vessel operators themselves. We believe that there are not any intentional delays on the part of any party to the process, and are convinced that Customs is processing applications as soon as possible given constraints imposed by workloads and staffing levels. No changes are required in the regulations as proposed.

Conclusion

After careful consideration of the comments received and further review of the matter, it has been determined that the amendment as proposed should be adopted without change.

Regulatory Flexibility Act

Pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), it is certified that the amendments will not have a significant economic impact on a substantial number of small entities. Accordingly, they are not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Executive Order 12291

This document does not meet the criteria for a "major rule" as specified in E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Drafting Information

The principal author of this document was Larry L. Burton, Carrier Rulings Branch, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects in 19 CFR Part 4

Customs duties and inspection, Reporting and recordkeeping requirements, Vessels.

Amendment to the Regulations

Part 4, Customs Regulations (19 CFR part 4), is amended as set forth below.

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The general authority citation for part 4, and the specific authority citation for § 4.14 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1624; 46 U.S.C. App. 3;

* * * * *

Section 4.14 also issued under 19 U.S.C. 1466, 1498;

* * * * *

§ 4.14 [Amended]

2. Section 4.14 (c) (2) is amended by removing both references to "$2,500" where they appear in the paragraph, and inserting in their places references to "$50,000."

George J. Weise,

Commissioner of Customs.

Approved: July 1, 1993.

Ronald K. Noble,

Assistant Secretary of the Treasury.

[FR Doc. 93–17689 Filed 7–23–93; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 175

[Docket No. 91F–0413]

Indirect Food Additives; Adhesives and Components of Coatings

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 1-hexene as a monomer for polymer resins intended for use as adhesives for articles or components of articles contacting food. This action responds to a food additive petition filed by Eastman Chemical Co.

DATES: Effective July 26, 1993; written objections and requests for a hearing by August 25, 1993.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Mitchell Cheeseman, Center for Food Safety and Applied Nutrition (HFS–216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–254–9511.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of November 29, 1991 (56 FR 61022), FDA announced that a food additive petition (FAP 1B4292) had been filed by Eastman Chemical Co., P.O. Box 511, Kingsport, TN 37662, proposing that § 175.105 *Adhesives* (21 CFR 175.105) be amended to provide for the safe use of 1-hexene as a monomer for polymer resins used as adhesives for articles or components of articles contacting food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of 1-hexene is safe and that § 175.105 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before August 25, 1993 file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 175

Adhesives, Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 175 is amended as follows:

PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS

1. The authority citation for 21 CFR part 175 is revised to read as follows:

Authority: Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 175.105 is amended in the table in paragraph (c)(5) by alphabetically adding a new entry under the heading "Substances" and the subheading "Polymers: Homopolymers and copolymers of the following monomers:" to read as follows:

§ 175.105 Adhesives.

* * * * *

(c) * * *

(5) * * *

Substances	Limitations
* * * * * *	
Polymers: Homopolymers and copolymers of the following monomers:	
* * * * * *	
1–Hexene (CAS Reg. No. 592–41–6).	
* * * * * *	

Dated: July 13, 1993.

Janice F. Oliver,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 93–17663 Filed 7–23–93; 8:45 am]

BILLING CODE 4160-01-F

PEACE CORPS

22 CFR Part 308

Compliance With Privacy Act of 1974: New System of Records—Exemption; Office of Inspector General Investigative Files and Records

AGENCY: Peace Corps of the United States.

ACTION: Final rule.

SUMMARY: On June 1, 1993, the Peace Corps published for notice and comment a proposed rule to exempt a system of records from certain provisions of the Privacy Act of 1974, 5 U.S.C. 552a, to the extent that the system contains investigatory material pertaining to the enforcement of criminal laws or compiled for law enforcement purposes. The system of records to be exempted contains the investigative files and records of the Office of Inspector General of the Peace Corps (OIG). (See 58 FR 31181.) The Peace Corps did not receive any comments on the proposed rule. Therefore, the Peace Corps has exempted this system of records from certain provisions of the Privacy Act.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Margaret Aira, Legal Counsel, Office of Inspector General, Room 5300, 1990 K Street NW., Washington, DC 20526. Telephone: (202) 606–3320. TDD (202) 606–1313 for party relay message. Copies of this notice may be obtained in an alternate format upon request.

SUPPLEMENTARY INFORMATION: On June 1, 1993, the Peace Corps published a notice proposing to establish a new system of records under the Privacy Act of 1974 and to exempt this system of records from certain provisions of the Privacy Act (58 FR 31223). The system, entitled the Office of Inspector General Investigative Files and Records, contains material pertaining to the enforcement of criminal laws and compiled for law enforcement purposes. The Director of the Peace Corps has now exempted this new system of records from specified provisions of the Privacy Act.

Section (j)(2) of the Privacy Act provides that the head of an agency may promulgate rules to exempt any system of records within the agency from any part of section 552a, except subsections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), and (11), and (i), if the system of records is maintained by "the agency or component thereof which performs as its principal function any activity pertaining to enforcement of criminal laws" and includes: "(A) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release and parole and probation status; (B) information compiled for the purpose of criminal investigation, including reports of informants and investigators and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision." Section 552a(k)(2) of the Privacy Act also provides that the head of an agency may promulgate rules to exempt any system of records within the agency from sections 552a(c)(3), (d), (e)(1), (e)(4)(G) through (I), and (f) of the Act, if the system of records is "investigatory material compiled for law enforcement purposes."

If a system of records is not exempted from these sections, the Privacy Act generally requires the agency to: Account for disclosures; permit individuals access to their records; permit individuals to request amendment to their records; maintain only necessary or relevant information in its system of records; publish certain information in the **Federal Register**, and promulgate rules that establish procedures for notice and disclosure of records. The exemptions that may be asserted with respect to investigatory systems of records permit an agency to protect information when disclosure would interfere with the conduct of the agency's investigations.

The Office of Inspector General Investigative Files and Records contain information of the type described in the above mentioned exemptions to the Privacy Act. The Inspector General Act of 1978, as amended (5 U.S.C. App. 3), authorizes the Inspector General of the Peace Corps to conduct investigations to detect fraud and abuse in the programs and operations of the Peace Corps and to assist in the prosecution of participants in such fraud or abuse. The Peace Corps Office of Inspector General maintains information in this system of records pursuant to its law enforcement and criminal investigation functions. Exemptions under sections 552(j)(2) and (k)(2) are necessary to maintain the integrity and confidentiality of the investigative files and to protect individuals from harm. Disclosure of information in these investigatory files or disclosure of the identity of confidential sources would seriously undermine the effectiveness of the Inspector General's investigations. Knowledge of such investigations also could enable suspects to take action to prevent detection of criminal activities, conceal or destroy evidence, or escape prosecution. Disclosure of this information could lead to intimidation of, or harm to, informants, witnesses,

investigative personnel and their families. The imposition of certain restrictions on the manner in which information is collected, verified, or retained could significantly impede the effectiveness of the investigations of the Office of Inspector General and could preclude the apprehension and successful prosecution or discipline of persons engaged in fraud or other illegal activity.

For these reasons, the Peace Corps has exempted the system of records containing the Office of Inspector General Investigative Files and Records from certain provisions of the Privacy Act. Section 308.14 of the Peace Corps regulations (22 CFR part 308) previously was promulgated to exempt various records from certain requirements of the Privacy Act. In connection with the establishment of the system of records containing the investigative files of the Office of Inspector General, the Peace Corps is amending § 308.14 by revising the introductory paragraph and adding a new paragraph (d).

Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Director of the Peace Corps certifies that this rule will not have a significant impact on a substantial number of small entities.

Executive Order 12291

The Peace Corps has determined that this rule is not a "major rule" under Executive Order No. 12291 since it will not have an annual effect on the economy of $100 million or more.

Paperwork Reduction Act of 1980

This rule has been examined under the Paperwork Reduction Act of 1980 and has been found to contain no information collection requirements.

Energy and Environment Considerations

This rule does not significantly affect either the quality of the human environment or the conservation of energy resources.

Executive Order 12778

This rule has been reviewed under the principles set forth in section 2 of Executive Order 12778 (56 FR 55195) on Civil Justice Reform. The Peace Corps has determined that this rule meets the applicable standards of section 2 of Executive Order 12778.

List of Subjects in 22 CFR part 308

Privacy Act, report and recordkeeping requirements.

Accordingly, the Peace Corps hereby amends 22 CFR ch. III, part 308 as follows:

PART 308—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

1. The authority citation of part 308 continues to read as follows:

Authority: 5 U.S.C. 552a.

2. Section 308.14 is amended by revising the introductory paragraph and adding a new paragraph (d) to read as follows:

§ 308.14 Specific exemptions.

Records or portions of records in certain record systems specified in paragraphs (a) through (c) of this section shall be exempt from disclosure: *Provided, however,* That no such exemption shall apply to the provisions of § 308.12(a) (maintaining records with accuracy, completeness, etc. as reasonably necessary for agency purposes); § 308.12(b) (collecting information directly from the individual to whom it pertains); § 308.12(c) (informing individuals asked to supply information of the purposes for which it is collected and whether it is mandatory); § 308.12(g) (notifying the subjects of records disclosed under compulsory court process); § 308.16(d)(3) (informing prior recipient of corrected or disputed records); § 308.16(g) (civil remedies). With the above exceptions the following material shall be exempt from disclosure to the extent indicated:

* * * * *

(d) Records in the Office of Inspector General Investigative Files and Records system of records are exempt from certain provisions to the extent provided hereinafter.

(1) To the extent that the system of records pertains to the enforcement of criminal laws, the Office of Inspector General Investigative Files and Records system of records is exempt from all sections of the Privacy Act (5 U.S.C. 552a) except the following sections: (b) relating to conditions of disclosure; (c)(1) and (2) relating to keeping and maintaining a disclosure accounting; (e)(4)(A) through (F) relating to publishing a system notice setting the name, location, categories of individuals and records, routine uses, and policies regarding storage, retrievability, access controls, retention and disposal of the records; (e)(6), (7), (9), (10), and (11) relating to dissemination and maintenance of records and (i) relating to criminal penalties. This system of records is also exempt from the provisions of § 308.11 through § 308.17 to the extent that the provisions of these sections conflict with this paragraph.

(i) Authority: 5 U.S.C. 552a(j)(2).

(ii) Reasons:

(A) To prevent interference with law enforcement proceedings.

(B) To avoid unwarranted invasion of personal privacy, by disclosure of information about third parties, including other subjects of investigations, investigators, and witnesses.

(C) To protect the identity of Federal employees who furnish a complaint or information to OIG, consistent with section 7(b) of the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3.

(D) To protect the confidentiality of non-Federal employee sources of information.

(E) To assure access to sources of confidential information, including those contained in Federal, State, and local criminal law enforcement information systems.

(F) To prevent disclosure of law enforcement techniques and procedures.

(G) To avoid endangering the life or physical safety of confidential sources.

(2) To the extent that there may exist within this system of records investigative files compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of the Privacy Act, the OIG Investigative Files and Records system of records is exempt from the following sections of the Privacy Act: (c)(3) relating to access to the disclosure accounting; (d) relating to access to records; (e)(1) relating to the type of information maintained in the records; (e)(4) (G), (H), and (I) relating to publishing the system notice information as to agency procedures for access and amendment, and information as to the categories of sources or records; and (f) relating to developing agency rules for gaining access and making corrections. *Provided, however,* That if any individual is denied any right, privilege, or benefit that they would otherwise be entitled by Federal law, or for which they would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to January 1, 1975, under an implied promise that the identity of the source would be held in confidence. This system of records is also exempt from the provisions of § 308.11 through § 308.17 to the extent that the provisions

of these sections conflict with this paragraph.

(i) Authority: 5 U.S.C. 552a(k)(2)

(ii) Reasons:

(A) To prevent interference with law enforcement proceedings.

(B) To protect investigatory material compiled for law enforcement purposes.

(C) To avoid unwarranted invasion of personal privacy, by disclosure of information about third parties, including other subjects of investigation, law enforcement personnel, and sources of information.

(D) To fulfill commitments made to protect the confidentiality of sources.

(E) To protect the identity of Federal employees who furnish a complaint or information to the OIG, consistent with Section 7(b) of the Inspector General Act of 1978, as amended, 5 U.S.C. App. 3.

(F) To assure access to sources of confidential information, including those contained in Federal, State, and local criminal law enforcement systems.

(H) To prevent disclosure of law enforcement techniques and procedures.

(I) To avoid endangering the life or physical safety of confidential sources and law enforcement personnel.

Dated: July 14, 1993.

John P. Hogan,

Acting Director, Peace Corps of the United States.

[FR Doc. 93–17263 Filed 7–23–93; 8:45 am]

BILLING CODE 6051–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Parts 812, 905, 912, and 960

[Docket No. R–93–1596; FR–3029–F–02]

RIN 2501–AB53

Occupancy by Single Persons

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: This rule eliminates the restrictions on the admission to public and assisted housing of any single person who is not 62 years old or older, disabled, handicapped, displaced, or the remaining member of a tenant family, in accordance with section 573(a) of the National Affordable Housing Act of 1990.

EFFECTIVE DATE: August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Issues related to part 812 (as it relates to section 8 certificates, vouchers, and Mod Rehab), parts 905, 912 and 960: Casimir Bonkowski, Director, Office of Management and Policy, Office of Public and Indian Housing, room 4228, 451 Seventh Street SW., Washington, DC 20410, Telephone (202) 708–0444. A telecommunications device for deaf persons (TDD) is available at (202) 708–0850. (These are not toll-free telephone numbers.)

Issues related to part 812 (as it relates to the other section 8 programs): James J. Tahash, Director, Planning and Procedures Division, Office of Multifamily Housing Management, room 6182, 451 Seventh Street SW., Washington, DC 20410, Telephone (202) 708–3944. A telecommunications device for deaf persons (TDD) is available at (202) 708–4594. (These are not toll-free telephone numbers.)

SUPPLEMENTARY INFORMATION:

Background

This rule amends 24 CFR parts 812, 905, 912, and 960 to implement section 573(a) of the National Affordable Housing Act of 1990, approved November 28, 1990, Public Law 101–625 (NAHA). Section 573(a) of NAHA amended clause (D) of section 3(b)(3) of the U.S. Housing Act of 1937 to include in the definition of "families" any "other single person" who is not 62 years old or older, disabled, handicapped, displaced, or the remaining member of a tenant family. (Section 621 of the Housing and Community Development Act of 1992 (approved October 28, 1992, Pub. L. 102–550) further revised section 3(b)(3) of the U.S. Housing Act of 1937. However, this rule does not address those changes. The Department will in the future issue regulations implementing section 621.)

Before the NAHA amendment, in general the number of single persons eligible for housing assisted under the Act who were not 62 years old or older, disabled, handicapped, displaced, or the remaining member of a tenant family was limited to 15 percent of the units within the area under the jurisdiction of a public housing agency. (Section 3(b)(3) allowed the Secretary to increase this limitation to 30 percent under limited circumstances.) Section 573(a) of NAHA eliminated any percentage limitation on the number of single persons, which means that HUD approval is no longer necessary to house single persons.

The NAHA amendment also added a new restriction on the admission of any single person to housing units assisted under the Act. Section 573(a)(1) provides that in no event may any single person under clause (D) be provided a housing unit assisted under this Act of two bedrooms or more.

Today's rule only eliminates the 15% limitation on the admission of single persons. (The Department's regulations never implemented the 30% limitation.) The Department published a proposed rule on April 10, 1992 (57 FR 12686) which, among other things, would eliminate the 15% limitation on the admission of single persons, and add a restriction on unit size for single persons. The Department will publish a final rule in the future addressing the restriction on unit size for single persons, and other pertinent issues.

In the proposed rule, the Department stated that no corresponding change would be made to 24 CFR part 905, which regulates Indian housing (including the Mutual Help Homeownership Opportunity Program). The reason for excluding Indian Housing was that the U.S. Congress did not expressly make section 573 of NAHA applicable to Indian Housing Authorities (IHAs), as required under section 201(b)(2) of the Indian Housing Act of 1988. However, section 103(b) of the Housing and Community Development Act of 1992, expressly makes section 573 of NAHA applicable to IHAs. Accordingly, this final rule is being made applicable to IHAs.

Other Matters

A. Economic Impact

This rule does not constitute a "major rule" as that term is defined in Section 1(b) of Executive Order 12291 on Federal Regulation issued by the President on February 17, 1981. Analysis of the rule indicates that it does not (1) have an annual effect on the economy of $100 million or more; (2) cause a major increase in cost or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States based enterprises to compete with foreign-based enterprises in domestic or export markets.

B. Environmental Impact

At the time of publication of the proposed rule, a finding of no significant impact with respect to the environment was made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). This final rule is not a significant change from the proposed rule. Accordingly, the initial finding of no significant impact remains applicable, and is available for public

inspection between 7:30 a.m. and 5:30 p.m. weekdays in the office of the Rules Docket Clerk, Office of the General Counsel, room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410.

C. Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the policies contained in this rule do not have federalism implications and, thus, are not subject to review under the Order. This rule merely makes a statutorily required change in a definition that will not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal government, or on the distribution of power and responsibilities between them and other levels of government.

D. Family Impact

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this rule will not have a potentially significant negative impact on family formation, maintenance, and general well-being, and thus, is not subject to review under the Order. The rule serves to implement a statutorily required change by including any single person in the definition of "family" under the United States Housing Act of 1937. Although it is anticipated that single persons will benefit from this change to the extent that it results in an alleviation of homelessness among these individuals, family housing will, in general, not be affected because the statute does not permit any single person to be provided with larger, family-sized units of two or more bedrooms. There could be a slight negative impact on nonelderly families consisting of two individuals who would be in competition for one-bedroom units with an increased number of newly eligible single persons. However, this potential impact should be offset by the anticipated beneficial impact in alleviating homelessness among single persons.

E. Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule before publication and by approving it certifies that this rule does not have a significant economic impact on a substantial number of small entities. The rule is only an implementation of a statutory requirement that adjusts the way the term "family" is defined.

This final rule was listed as Item No. 1403 in the Department's Semiannual Agenda of Regulations published on April 26, 1933 (58 FR 14382, 24401) under Executive Order 12291 and the Regulatory Flexibility Act.

List of Subjects

24 CFR Part 812

Low and moderate income housing, Reporting and recordkeeping requirements.

24 CFR Part 905

Aged, Grant programs—Indians, Grant programs—housing and community development, Handicapped, Indians, Loan programs—housing and community development, Loan programs—Indians, Low and moderate income housing, Public housing, Reporting and recordkeeping requirements.

24 CFR Part 912

Public housing, Reporting and recordkeeping requirements.

24 CFR Part 960

Aged, Grant programs—housing and community development, Handicapped, Public housing.

For the reasons set out in the preamble, parts 812, 905, 912 and 960 of title 24 of the Code of Federal Regulations are amended as set forth below:

PART 812—DEFINITION OF FAMILY AND OTHER RELATED TERMS; OCCUPANCY BY SINGLE PERSON

1. The authority citation for part 812 is revised to read as follows:

Authority: 42 U.S.C. 1437a; 42 U.S.C. 3601–3619; 42 U.S.C. 3535(d).

2. Section 812.1(a)(2) is revised to read as follows:

§ 812.1 Purpose and applicability.

(a) * * *

(2) Prescribes criteria and procedures for occupancy by any Single Person not otherwise eligible by reason of qualification as an Elderly Family or as a Displaced Person or as a Disabled or Handicapped Person or as the remaining member of a tenant family.

* * * * *

3. Section 812.3 is revised to read as follows:

§ 812.3 Admission of single persons—priority to elderly and displaced persons.

A PHA or private owner shall extend preference to Elderly Families (including Disabled Persons and Handicapped Persons) and Displaced Persons over Single Persons.

4. Section 812.4 is revised to read as follows:

§ 812.4 Effect of contact provisions.

Notwithstanding the provisions of any contract or agreement pursuant to the Act, defining terms otherwise than as defined in § 812.2, PHAs or private owners are authorized to house Single Persons.

PART 905—INDIAN HOUSING PROGRAMS

5. The authority citation for part 905 continues to read as follows:

Authority: 42 U.S.C. 1437aa–1437ee; 25 U.S.C. 450e(b); 42 U.S.C. 3535(d).

6. Section 905.301 is amended by revising paragraphs (d) and (e)(4) to read as follows:

§ 905.301 Admission policies.

* * * * *

(d) *Admission of single persons—priority to elderly and displaced persons.* An IHA shall extend preference to Elderly Families (including Disabled Persons and Handicapped Persons) and Displaced Persons over Single Persons.

(e) * * *

(4) If an IHA elects the discretionary preference in paragraph (e)(2) of this section, the IHA must follow its policies and procedures for applying the Federal preferences contained in § 905.305 when selecting applicants for admission from among near elderly families. Near elderly families that do not qualify for Federal preference and that are given preference for admission under this section over other non-elderly families that qualify for such a Federal preference are not subject to the 10 percent limitation on admission of families without a Federal preference over families with such a Federal preference that may initially receive assistance in any one-year period, as set out in § 905.305(b)(2)(ii). If a near elderly applicant is a single person, the near elderly single person may be given a preference for admission over other single persons to projects for the elderly.

* * * * *

PART 912—DEFINITION OF FAMILY AND OTHER RELATED TERMS; OCCUPANCY BY ANY SINGLE PERSON

7. The authority citation for part 912 is revised to read as follows:

Authority: 42 U.S.C. 1437a; 42 U.S.C. 3601–3619; 42 U.S.C. 3535(d).

8. Section 912.1(a)(2)) is revised to read as follows:

§ 912.1 Purpose and applicability.

(a) * * *

(2) Prescribes criteria and procedures for occupancy by any Single Person not otherwise eligible by reason of qualification as an Elderly Family or as a Displaced Person or as a Disabled or Handicapped Person or as the remaining member of a tenant family.

* * * * *

9. Section 912.3 is revised to read as follows:

§ 912.3 Admission of single persons—priority to elderly and displaced persons.

A PHA shall extend preference to Elderly Families (including Disabled Persons and Handicapped Persons) and Displaced Persons over Single Persons.

10. Section 912.4 is revised to read as follows:

§ 912.4 Effect of contract provisions.

Notwithstanding the provisions of any contract or agreement pursuant to the Act, defining terms otherwise than as defined in § 912.1, PHAs or private owners are authorized to house Single Persons.

PART 960—ADMISSION TO, AND OCCUPANCY OF, PUBLIC HOUSING

11. The authority citation for part 960 is revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437c, 1437d and 1437n; 42 U.S.C. 3535(d).

12. In § 960.409, paragraph (e) is revised to read as follows:

§ 960.409 Other preferences; single person occupancy.

* * * * *

(e) If a Near Elderly applicant is a Single Person, as that term is defined in § 912.2 of this chapter, the Near Elderly Single Person may be given a preference for admission over other Single Persons to projects for the elderly.

Dated: May 24, 1993.

Henry G. Cisneros,

Secretary.

[FR Doc. 93–17575 Filed 7–23–93; 8:45 am]

BILLING CODE 4210-33-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 154 and 155

[CGD 92–027]

RIN 2115–AE20

Marking of Transfer Hoses for Hazardous Materials

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is revising its transfer hose marking regulations for hazardous materials. The current regulations, which require each hose to be marked with a list of each product transferred through the hose, are impractical. This rulemaking allows an alternative for hose marking that is more effective and easier to maintain.

EFFECTIVE DATE: August 25, 1993.

ADDRESSES: Unless otherwise indicated, documents referenced in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G–LRA/340€), U.S. Coast Guard Headquarters, 2100 Second Street, SW., room 3406, Washington, DC 20593–0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

FOR FURTHER INFORMATION CONTACT: Lieutenant Jonathan C. Burton, Marine Environmental Protection Division (G–MEP), at (202) 267–6714.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Lieutenant Jonathan C. Burton, Project Manager, Marine Environmental Protection Division, and Ms. Helen Boutrous, Project Counsel, Office of Chief Counsel.

Regulatory History

On February 18, 1993, the Coast Guard published a notice of proposed rulemaking entitled "Marking of Transfer Hoses for Hazardous Materials" in the **Federal Register** (58 FR 8918). The Coast Guard received four letters commenting on the proposal. A public hearing was not requested and one was not held.

Background and Purpose

The regulations pertaining to the transfer of products between vessels and facilities capable of transferring oil or hazardous materials in bulk to or from a vessel with a capacity of 250 barrels or more were previously contained in two different parts of title 33 of the Code of Federal Regulations. Facilities dealing with the transfer of bulk oil were covered by 33 CFR part 154, while those dealing with the transfer of hazardous materials were covered by 33 CFR part 126 (Handling of Explosives or Other Dangerous Cargoes Within or Contiguous to Waterfront Facilities). Realizing that this often confusing, and desiring to address hazardous materials in greater detail, the Coast Guard combined the provisions into part 154 (Facilities Transferring Oil or Hazardous Material in Bulk). Since 1990, when this effort was completed, a number of suggestions for improving the combined regulations have been provided by Coast Guard personnel and industry advisory groups.

One issue that was raised concerns the marking of transfer hoses. For hoses used to transfer oil products, the current regulations provide alternative marking options: a hose must be marked with the name of each oil product for which the hose may be used, or, the hose may be marked with the words "oil service," with no additional information regarding the oil products transferred (33 CFR 154.500(e)). However, for hoses used to transfer hazardous materials, the hose must bear the name of each hazardous material product for which the hose is used. No other option is available to facilities or vessels. While it is common at facilities for a given hose to be designated for a single product, this is not always the case for vessels, especially barges. Often, the same transfer hose is used for the transfer of numerous hazardous material products.

At its meeting in November 1990, the Towing Safety Advisory Committee (TSAC) brought this hose marking issue to the attention of the Coast Guard. The Committee noted that in cases where one transfer hose is used for numerous compatible products, marking the name of each product on the hose is difficult, given the size constraints. Also, the inability to use the same hose to transfer additional compatible products without this time-consuming marking, as well as the difficulty of maintaining extensive markings on the hose exterior, make the current hose marking requirements for hazardous materials unduly burdensome and impractical.

TSAC proposed that the hazardous materials transfer hoses be marked with the pollution categories published by the International Maritime Organization (IMO). This would provide a less cumbersome means for marking and maintaining hazardous materials transfer hoses while, according to TSAC, ensuring the compatibility of products for which a given transfer hose may be used.

The Coast Guard agrees that, for a hose that is used to transfer numerous compatible cargoes, some alternative to placing the name of each product on the hose should be available. However, the Coast Guard has determined that marking these hoses with IMO pollution categories does not necessarily ensure compatibility of cargoes. There are instances where chemically incompatible cargoes are included within the same IMO pollution category.

As an alternative to the approach suggested by TSAC, the Coast Guard is modifying the rule to allow for hoses to be marked with a unique identifying symbol (a letter, number, or other symbol) to indicate the types of materials which may be transferred through that hose. A list found in the facility's operations manual or vessel's transfer procedure documents must contain the hose symbols and the compatible cargoes which may be transferred through a hose bearing a given symbol. It is the Coast Guard's position that this is a reasonable alternative to the current hose marking requirements, and that it will effectively address the concerns of TSAC. This alternative is consistent with the marking alternative in § 154.500(f), which allows for the date of manufacture and the date of the last pressure or other hose test required by § 156.170 to be recorded elsewhere at the facility, with the hose marked to identify it with that information.

By allowing vessels and facilities to mark hoses used to transfer hazardous materials with symbols and a reference to a list contained in either the facility's operations manual or the vessel's transfer procedures documents to determine the products represented by the symbols, hose marking and maintenance will be simplified. Also, ongoing changes will be easier to implement. Further, this alternative will be less time consuming and less costly than the current requirement.

Discussion of Comments and Changes

Two comments, representing two different industry groups, were in support of the regulations as proposed. Two other comments suggested using the compatibility tables and numbers found in 46 CFR part 150 to provide a standardized marking method.

The compatibility categories of part 150 are intended to be used for the storage of cargo. Materials in the same compatibility category, however, are not necessarily compatible with the same types of hose construction. For example, while gasoline and carbon disulfide are compatible according to the tables, gasoline can be transferred through a neoprene hose while carbon disulfide can be transferred through a stainless steel hose only. The fact that materials are considered compatible for the purposes of cargo storage, does not necessarily ensure compatibility for hose transfers. Therefore, the Coast Guard has determined that use of the compatibility tables of part 150 is not appropriate for the marking of transfer hoses. While the Coast Guard may develop a specific hose compatibility chart that could be utilized for the purpose of marking transfer hoses in the future, the Coast Guard has determined that the alternative method of marking transfer hoses adopted by this final rule provides a safe and effective method of putting those individuals transferring hazardous materials on notice as to the materials that may be transferred safely in a particular hose.

Regulatory Evaluation

This rule is not major under Executive Order 12291 and not significant under the "Department of Transportation Regulatory Policies and Procedures" (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation is unnecessary. This rule allows the marking of a transfer hose with a warning that the potential user of the hose should consult the hose compatibility list to determine which products may be transferred through the hose, rather than requiring that the name of each product be marked on the hose. Currently, facilities and vessels that use oil and hazardous material transfer hoses spend $2,039,850 annually to comply with all testing, reporting and recordkeeping requirements. No change to the manner in which transfer operations are conducted is anticipated. There are no additional costs associated with testing, recording or recordkeeping required by this rule and, therefore, there is no anticipated increase in the annual cost to industry. It is anticipated that there will be some cost savings for the facilities or vessels that use hazardous material transfer hoses.

Small Entities

Few small entities are involved in the transport of bulk hazardous materials and oil products. These regulations are expected to have a positive economic impact on any small entities involved. The new marking alternative is more efficient than marking hoses with product names. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains collection of information requirements. The Coast Guard has submitted the requirements to the Office of Management and Budget (OMB) for review under section 3504(h) of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), and OMB has approved them. The section number is § 154.500 and the corresponding OMB approval number is OMB Control Number 2115–0096.

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

This rule provides an alternative procedure for marking hazardous materials transfer hoses. The regulations apply, unless otherwise exempted, to vessels operating under the authority of the United States, wherever located, and to all vessels operating in the navigable waters of the United States or while at a port or terminal under the jurisdiction of the United States. The regulations also apply to each facility that is capable of transferring oil or hazardous material, in bulk, to or from a vessel with a capacity of 250 barrels or more. Vessels and many facilities operate in the national marketplace and excessive variation in requirements would be economically burdensome and potentially unsafe. Therefore, the Coast Guard intends to preempt State and local regulations to the extent that they are in conflict with the requirements of this rule.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under section 2.B.2.1 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This rule merely provides an alternative procedure for the making of hazardous materials transfer hoses. This rule allows the marking of transfer hoses with a warning that the potential user of the hose should consult the hose compatibility list to determine which products may be transferred through the hose, rather than requiring that the name of each product be marked on the hose. This rule is, therefore, administrative in nature and clearly will have no environmental impact. A Categorical Exclusion Determination is available in the docket for inspection or copying where indicated under "ADDRESSES."

List of Subjects

33 CFR Part 154

Fire prevention, Hazardous substances, Oil pollution, Reporting and recordkeeping requirements.

33 CFR Part 155

Hazardous substances, Oil pollution, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR parts 154 and 155 as follows:

PART 154—FACILITIES TRANSFERRING OIL OR HAZARDOUS MATERIAL IN BULK

1. The authority citation for part 154 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C); sec. 2, E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp., p. 793; 49 CFR 1.46.

2. In § 154.310, paragraph (a)(22) is added to read as follows:

§ 154.310 Operations manual: Contents.

(a) * * *

(22) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers or other symbols representing all such products and the location in the operations manual where a chart or list of the symbols used and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer.

* * * * *

3. In § 154.500, paragraphs (e) and (f) are revised to read as follows:

§ 154.500 Hose assemblies.

* * * * *

(e) Each hose must be marked with one of the following:

(1) The name of each product for which the hose may be used; or

(2) For oil products, the words "OIL SERVICE"; or

(3) For hazardous materials, the words "HAZMAT SERVICE—SEE LIST" followed immediately by a letter, number or other symbol that corresponds to a list or chart contained in the facility's operations manual or the vessel's transfer procedure documents which identifies the products that may be transferred through a hose bearing that symbol.

(f) Each hose also must be marked with the following, except that the information required by paragraphs (f)(2) and (3) of this section need not be marked on the hose if it is recorded in the hose records of the vessel or facility, and the hose is marked to identify it with that information:

(1) Maximum allowable working pressure;

(2) Date of manufacture; and

(3) Date of the latest test required by § 156.170.

* * * * *

PART 155—OIL OR HAZARDOUS MATERIAL POLLUTION PREVENTION REGULATIONS FOR VESSELS

4. The authority citation for part 155 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C); sec. 2, E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp., p. 793; 49 CFR 1.46. Sections 155.100 through 155.130, 155.350 through 155.400, 155.430, 155.440, and 155.470 also issued under 33 U.S.C. 1903(b).

5. In § 155.750 paragraph (a)(11) is added to read as follows:

§ 155.750 Contents of transfer procedures.

(a) * * *

(11) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers or other symbols representing all such products and the location in the transfer procedures where a chart or list of the symbols used and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer.

* * * * *

Dated: May 28, 1993.

R.C. North,

Captain, U.S. Coast Guard, Acting Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 93–17723 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 165

COTP Los Angeles/Long Beach, CA Regulation 93–05; Safety Zone Regulations: Los Angeles/Long Beach Harbor, California

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone at the Commodore Schuyler Heim Bridge (Heim Bridge) between Terminal Island and Wilmington, California to protect divers, workers and equipment installing underwater cable at the bridge. The zone encompasses the water areas within 100 feet both upstream and downstream of the bridge inside Cerritos Channel in Los Angeles/Long Beach Harbor. Vessels are prohibited from entering the safety zone without permission of the Coast Guard Captain of the Port.

EFFECTIVE DATES: The Safety Zone is in effect from 6 a.m. to 6 p.m. daily from August 9, 1993 to August 13, 1993.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) Kelly Johnson, Marine Safety Office Los Angeles/Long Beach at (310) 980–4455.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and a good cause exists for making it effective less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent injury to divers and workmen or damage to equipment.

Drafting Information

The drafters of this regulation are Susan Worden, Bridge Administrator, Eleventh Coast Guard District, and LCDR Craig Jucknies, project attorney, Eleventh District Coast Guard Legal Office.

Discussion of the Regulation

The circumstance requiring this regulation is the use of divers to entrench a submarine cable under Cerritos Channel in Los Angeles/Long Beach Harbor. The California Department of Transportation is replacing an underwater control cable at the Heim Bridge in Long Beach, California. There will be a series of diving operations to survey, mark and entrench the cable. There also will be underwater work at the piers to bring the cable into the bridge. The underwater work will be done during the period from August 9, 1993 through August 13, 1993. A safety zone is needed to protect divers and workers from injury.

The cable replacement project also will prevent the bridge from operating during the period from August 2, 1993 through August 20, 1993. Under a separate drawbridge operating regulation the Coast Guard is establishing a temporary drawbridge regulation to authorize the bridge to remain in the closed to navigation position during that period.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5.

2. A new § 165.T1105 is added to read as follows:

§ 165.T1105 Safety Zone: Heim Bridge, Cerritos Channel Long Beach, California.

(a) *Location.* The following area is established as a temporary safety zone: The water area of Cerritos Channel between Terminal Island and Wilmington within 100 feet east of the Ford Bridge and 100 feet west of the Commodore Schuyler Heim Bridge.

(b) *Effective date.* This safety zone is effective daily between 6 a.m. and 6 p.m. from August 9, 1993 through August 13, 1993.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: July 9, 1993.

J.B. Morris,

Captain, U.S. Coast Guard, Captain of the Port, Los Angeles/Long Beach, California.

[FR Doc. 93–17722 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 165

RIN 2115–AA97

Copt St. Louis Regulation 93–27; Safety Zone Regulations; Upper Mississippi River Basin

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on the Osage River. These regulations are needed to control vessel traffic in the regulated area to prevent further wake damage to levees and property along the river. The regulations will restrict general navigation in the regulated areas for the safety of vessel traffic and the protection of life and property along the river.

EFFECTIVE DATES: This regulation is effective on July 14, 1993 and will terminate on August 15, 1993.

FOR FURTHER INFORMATION CONTACT: LTJG Paul Barragan, Operations Officer, Captain of the Port, St. Louis, Missouri at (314) 539–3823.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of these regulations are LTJG Paul Barragan, Project Officer, Marine Safety Office, St. Louis, Missouri and LCDR A. O. Denny, Project Attorney, Second Coast Guard District Legal Office.

Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. Specifically, the recent rainfall in the Upper Mississippi drainage area has caused unanticipated flood conditions on the Osage River leaving insufficient time to publish a notice of proposed rulemaking. The Coast Guard deems it to be in the public's best interest to issue a regulation without waiting for a comment period since the flood conditions are presenting immediate hazards.

Background and Purpose

The Upper Mississippi River and its tributaries have been suffering from high water conditions for 105 days. This has contributed to unusually wet conditions along the river with the resultant softening of the earth levees which protect the adjacent lowlands. Although the water levels in the river had fallen below flood stage during late June 1993, the levees had not had the opportunity to dry out before the recent rainfall over the midwest pushed the rivers back above the flood stage. As a result, the waters of the Osage River have overflowed its banks and some levees in the area have failed. The Army Corps of Engineers has reported that additional levees will erode, presenting an imminent danger to ongoing flood relief efforts and to life and property along the river, if they are subjected to the wake damage from passing vessels.

The present flood conditions also present a hazard to navigation in that the area's rivers are filled with a mass of trees and other debris which have been washed from the river banks and the inundated lowlands, once visible obstructions to navigation are now submerged, river currents are not following normal patterns, and insufficient clearances exist for vessels to pass under certain bridges. Taken as a whole, these conditions present hazards which greatly hinder the safe navigation of recreational and commercial traffic.

Given expected rainfall patterns, the rivers are not expected to crest until on or after July 15, 1993. The Army Corps of Engineers anticipates that the Mississippi River will crest at 45 feet—this is 15 feet above flood stage and may establish a record for flood waters in the area—and that it may take another four weeks for the waters to recede to normal levels.

Regulatory Evaluation

This regulation is not major under Executive Order 12291 and not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979), it will not have a significant economic impact on a substantial number of small entities, and it contains no collection of information requirements. A full regulatory analysis is unnecessary because the Coast Guard expects the impact of this regulation to be minimal when compared to the overriding nature of the damage which the flood conditions on the western rivers has caused and is expected to produce. To avoid any unnecessary adverse economic impact on businesses which use the river for commercial purposes, Captain of the Port, St. Louis, Missouri will monitor river conditions and will terminate the safety zones for specific areas as river conditions allow.

Federalism Assessment

Under the principles and criteria of Executive Order 12612, this regulation does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal and concluded that preparation of an environmental impact statement is not necessary because the regulation is categorically excluded from further environmental documentation. The regulation serves to avoid further damage to the environment beyond that which will result from naturally occurring flood conditions. A Categorical Exclusion Determination has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Temporary Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5.

2. A temporary § 165.T0254 is added, to read as follows:

§ 165.T0254 Safety Zone: Upper Mississippi River Basin.

(a) *Location.* The Osage River between mile 0 and mile 20 is established as a safety zone.

(b) *Effective Dates.* This section becomes effective on July 14, 1993 and will terminate on August 15, 1993.

(c) *Regulations.* The general regulations under § 165.23 of this part which prohibit entry into the described zone without authority of the Captain of the Port apply.

(d) The Captain of the Port, St. Louis, Missouri will notify the maritime community of river conditions affecting the areas covered by these safety zones by Marine Safety Information Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHZ).

Dated: July 14, 1993.

Scott P. Cooper,

Commander, U.S. Coast Guard, Captain of the Port, St. Louis, Missouri.

[FR Doc. 93–17721 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 4

Total Disability Ratings for Compensation

AGENCY: Department of Veterans Affairs.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to the regulations of the Department of Veterans Affairs (VA) that govern the assignment of total disability ratings for compensation based upon individual unemployability. This correction is required in order to delete an erroneously duplicated sentence from the regulation. No substantive change to the content of 38 CFR Part 4 is being made by this correcting amendment.

EFFECTIVE DATE: This correcting amendment is effective July 26, 1993.

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 233–3005.

SUPPLEMENTARY INFORMATION: The regulations that appear at 38 CFR 4.16(a) establish the criteria for the assignment of total disability ratings for compensation benefits based upon individual unemployability. Due to VA error, the third sentence of § 4.16(a) is printed twice. This document corrects that error.

List of Subjects in 38 CFR Part 4

Handicapped, Pensions, Veterans.

For the reasons set out in the preamble, 38 CFR part 4, subpart A, is amended as set forth below:

PART 4—SCHEDULE FOR RATING DISABILITIES

Subpart A—General Policy in Rating

1. The authority citation for part 4 continues to read as follows:

Authority: 72 Stat. 1125; 38 U.S.C. 1155, unless otherwise noted.

§ 4.16 [Corrected]

2. In § 4.16(a), remove the words "It is provided further that the existence or degree of nonservice-connected disabilities or previous unemployability status will be disregarded when the percentages referred to in this paragraph for the service-connected disability or disabilities are met and in the judgment of the rating agency such service-connected disabilities render the veteran unemployable." the second time that they appear.

Approved July 19, 1993.

B. Michael Berger,

Director, Records Management Service.

[FR Doc. 93–17677 Filed 7–23–93; 8:45 am]

BILLING CODE 8320–01–U

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101–41

[FPMR Temp. Reg. G–57]

Use of Cash for Official Travel

AGENCY: Federal Supply Service, GSA.

ACTION: Temporary regulation.

SUMMARY: This regulation amends the Federal Property Management Regulations (FPMR) to grant agency heads or their designated representatives authority to approve all cash purchases of transportation services exceeding $100. Currently, agency heads or their designated representatives may authorize the use of cash exceeding $100 only for the purchase of emergency transportation services. This revision will eliminate the requirement for agencies to request a written exemption from the General Services Administration (GSA) for cash purchases of nonemergency transportation services exceeding the $100 limit.

DATES: Effective date: July 26, 1993.

Expiration date: July 31, 1994.

Comments due on or before: December 31, 1993.

FOR FURTHER INFORMATION CONTACT: John W. Sandfort, Deputy Director, Regulations and Program Development Division, Office of Transportation Audits (202–219–3164).

SUPPLEMENTARY INFORMATION: The General Service Administration (GSA) has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a regulatory impact analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Pursuant to the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), GSA has also determined that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, no regulatory flexibility analysis has been prepared.

The reporting forms required by this regulation are not subject to the provisions of Public Law 96–511, the Paperwork Reduction Act of 1980, and Subpart 201–45.6 of this title.

List of Subjects in 41 CFR Part 101–41

Accounting, Air carriers, Claims, Maritime carriers, Passenger services, Railroads, Transportation.

Accordingly, under the authority of 31 U.S.C. 3726 and 40 U.S.C. 486(c), in 41 CFR chapter 101, the following temporary regulation is added to the appendix at the end of Subchapter G to read as follows:

Federal Property Management Regulations Temporary Regulation G–57

To: Heads of Federal agencies

Subject: Use of cash for official travel

1. *Purpose.* This regulations grants agency heads or their designated representatives the authority to approve all cash purchases of passenger transportation services costing more than $100.

2. *Effective date.* This regulation is effective on July 26, 1993.

3. *Expiration date.* This regulation expires on July 31, 1994, unless sooner superseded or canceled.

4. *Applicability.* This regulation applies to all Government agencies that are subject to the audit authority of GSA under 31 U.S.C. 3726.

5. *Background.* FPMR Amendment G–43, July 6, 1977, transmitted Part 101–41 to establish the policy and procedures governing the documentation and audit of payments for domestic and foreign freight and passenger transportation services furnished for the account of the United States. Section 101–41.203 pertains to the procurement of passenger transportation services. The Government transportation request (GTR), Government contractor-issued charge card, and Government travel system (GTS) account are the preferred means for procuring such services; however, agencies have the option of requiring travelers to use cash where the passenger transportation services cost more than $10 but do not exceed $100 for each authorized trip. Agencies also have the authority to approve emergency cash payments exceeding the $100 limit but must request a written exemption from GSA for nonemergency cash payments exceeding the limit. This revision will allow agency heads to: (1) specify which device (GTR, Government contractor-issued charge card, GTS account or combination thereof) travelers will use to procure transportation services; and (2) approve all cash purchases of passenger transportation services without obtaining an exemption from GSA.

6. *Agency comments.* Comments concerning this regulation should be submitted to the General Services Administration, Policy, Procedures and Liaison Branch (FWPA), Washington, DC 20405, no later than December 31, 1993, for consideration and possible incorporation in a permanent rule.

7. *Revised policy.*

a. Section 101–41.203–1 is amended by revising paragraph (a) to read as follows:

§ 101.41.203–1 Procurement from carriers.

(a) All passenger transportation services should be procured with a GTR, GSA contractor-issued charge card, or Government travel system account unless otherwise provided herein. Agency heads or their designees may specify which of these Government-provided methods of payment, or combination thereof, travelers will use to procure official passenger transportation services. Such services, regardless of the procurement method specified by the agency, must be procured directly from either a carrier or a travel agent. Travel agencies may be used only as prescribed by GSA's Federal Travel Regulation (FTR), 41 CFR chapters 301 through 304 or applicable regulations of the Department of Defense (DOD).

* * * * *

b. Section 101–41.203–2 is revised to read as follows:

§ 101–41.203–2 Use of cash.

(a) Cash shall be used to procure all passenger transportation services costing $10 or less, exclusive of Federal transportation tax, and to pay air excess baggage charges of $15 or less for each leg of a trip (see § 101–41.203–6), unless special circumstances justify the use of a GTR or Government excess baggage authorization/ticket. Agencies have the option of requiring travelers to use either cash or GTR's, Government travel system (GTS) accounts, or contractor-issued Government employee charge cards to procure transportation services costing more than $10, but do not exceed $100, exclusive of Federal transportation tax, for each trip authorized on an official travel authorization. In making any such determination, agencies should consider the availability of airline city-pair contract fares available only through the use of GTR's, GTS accounts, or contractor-issued Government employee charge cards. Only GTR's, GTS accounts, or contractor-issued Government employee charge cards should be used to procure passenger transportation services costing more than $100, excluding Federal transportation tax, unless otherwise exempted in this subpart.

(1) Any approval of the use of cash in excess of $100 should be obtained prior to travel. In the absence of advance written authorization or approval, passenger transportation services shall be purchased in accordance with policies and procedures prescribed in applicable Government travel regulations. It is a traveler's responsibility to be aware that the use of a GTR, contractor-issued charge card, or GTS account may be required to obtain certain discount fares and to comply with the mandatory provisions of the Federal Travel Regulation (FTR) governing the use of contract airline service between designated city-pairs. Cash shall not be used to circumvent the regulations governing airline city-pair contracts.

(2) If requiring the use of personal funds to purchase the services set forth in paragraph (a) of this section would impose a financial hardship on a traveler, the agency should authorize an advance of funds in accordance with provisions of the FTR (41 CFR 301–10.3).

(3) Use of a credit card, other than the GSA contractor-issued Government employee charge card, and all travelers checks shall be considered the equivalent of cash and subject to the $100 limitation provided in paragraph (a) of this section.

(4) Passenger transportation services procured in accordance with the group or charter provisions of the FTR (41 CFR 301–3.4(2)) are not subject to the provisions of this subpart.

(b) Cash purchases of transportation services in excess of $100 in nonemergency circumstances shall be discouraged and each agency shall establish procedures to encourage Federal travelers to use a Government charge card, GTS account, or GTR instead of cash to purchase passenger transportation services. Agencies shall monitor and control cash purchases of transportation services in a manner that will ensure such purchases are kept to a minimum.

(1) In those limited instances where a Federal traveler has failed to use a GTR, GTS account, or contractor-issued Government employee charge card, heads of agencies, or their designated representatives, may authorize travelers to exceed the $100 limitation when procuring passenger transportation services. Each agency shall establish guidelines for approval of cash purchases in excess of $100 with consideration given to whether the purchase resulted directly from: (i) emergency circumstances (where the use of a GTR, GTS account, or contractor-issued Government employee charge card was not possible); or (ii) agency failure to advise new employees or invited or infrequent travelers of the proper procedures for purchasing transportation services. Should a Federal employee make repeated cash purchases without just cause or deliberately attempt to circumvent use of GSA contract air or rail service for personal convenience or some other reason not consistent with sound travel management practices, the agency may send all documents related to the travel to the Comptroller General, General Accounting Office, Claims Section, Washington, DC 20548, for a decision on the traveler's right to reimbursement as provided in 31 U.S.C. 3702.

(2) Delegation of authority for authorizing and approving the use of cash in excess of $100 for the procurement of transportation services shall be held to as high an administrative level as practicable to ensure adequate consideration and review of the circumstances. These delegations of authority shall be made in writing and copies retained to permit monitoring of the system. These records of delegations of authority shall be available for examination by GSA auditors.

(3) To justify the use of cash in excess of $100 instead of a Government-provided method of payment when procuring passenger transportation services, both the agency head, or the designated representative, and the traveler shall certify on the travel voucher the reasons for such use.

(4) After a traveler has been reimbursed for a cash purchase, copies of travel authorizations, ticket coupons, and any ticket refund applications, or SF's 1170, Redemption of Unused Tickets, shall be forwarded for audit to the General Services Administration, Transportation Audit Division (FWA), Attention: Code E, Washington, DC 20405.

(5) Travel vouchers shall be maintained in the agency to be available for site audit by GSA auditors. General Records Schedule 9, Travel and Transportation Records (see 36 CFR Chapter XXII, § 1228.22), provides instructions for the disposal of travel vouchers.

(c) Suspected travel management errors and/or misroutings which result in higher travel costs to the Government will be reported by GSA (FWP) to the appropriate military or civilian agency travel manager for appropriate action.

(d) Travelers using cash to purchase individual passenger transportation services shall procure such services directly from carriers or from travel agents under GSA or

DOD contract (see § 101–41.203–1), and shall account for those expenses on their travel vouchers, furnishing passenger coupons or other evidence as appropriate in support thereof. Moreover, travelers shall assign to the Government the right to recover any excess payments involving carriers' use of improper rates. That assignment must be preprinted or otherwise annotated on the travel voucher and shall be initialed by the traveler.

(e) Travelers using cash to procure passenger transportation services shall be made aware by their employing agencies of the provisions of § 101.41.209–4 concerning a carrier's liability for liquidated damages because of failure to provide confirmed reserved space. Also, travelers using cash shall adhere to the regulations of the General Accounting Office (4 CFR 52.2) regarding the use of U.S.-flag vessels and air carriers (see § 101–41.203–1(b)).

8. *Effect on other directives.* This regulation supersedes the provisions of § 101–41.203–2.

Dated: May 18, 1993.

Dennis J. Fischer,

Acting Administrator.

[FR Doc. 93–17618 Filed 7–23–93; 8:45 am]

BILLING CODE 6820–24–M

41 CFR Part 101–44

[FPMR Amendment H–187]

Donation of Federal Surplus Personal Property to Providers of Assistance to Homeless Individuals

AGENCY: Federal Supply Service, GSA.

ACTION: Final rule.

SUMMARY: This regulation relaxes the current use requirement placed on donations of personal property to nonprofit providers of assistance to homeless individuals. It removes the requirement for donated property to be used exclusively for the program operated to assist homeless individuals and allows such property to be used primarily for the donee's program for assistance to the homeless.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Lester D. Gray, Jr., Director, Property Management Division (703–305–7240).

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. GSA has been all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Regulatory Flexibility Act

The final rule is not required to be published in the **Federal Register** for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

List of Subjects in 41 CFR Part 101–44

Government property management, Surplus Government property.

For the reasons set forth in the preamble, 41 CFR part 101–44 is amended as follows:

PART 101–44—DONATION OF PERSONAL PROPERTY

1. The authority citation for part 101–44 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–44.2—Donations to Public Agencies and Eligible Nonprofit Tax-Exempt Activities

2. Section 101–44.207 is amended by revising paragraph (a)(18.1) to read as follows:

§ 101–44.207 Eligibility.

* * * * *

(a) * * *

(18.1) *Provider of assistance to homeless individuals* means a public agency or a nonprofit, tax-exempt institution or organization that operates a program which provides assistance such as food, shelter, or other services to homeless individuals, as defined in paragraph (a)(12.1) of this section. Property acquired through the donation program by such institutions or organizations must be used primarily for the program(s) operated to assist homeless individuals.

* * * * *

Dated: May 25, 1993.

Dennis J. Fischer,

Acting Administrator of General Services.

[FR Doc. 93–17616 Filed 7–23–93; 8:45 am]

BILLING CODE 6820–24–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7578]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 457, Lanham, MD 20706, (800) 638–7418.

FOR FURTHER INFORMATION CONTACT: James Ross MacKay, Acting Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646–2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or

construction of buildings in the special flood hazard areas shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 11291, Federal Regulation, February 17, 1981, 3 CFR, 1981 Comp., p. 127. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date
New Eligibles—Emergency Program			
Nebraska: Custer County, unincorporated areas	310428	June 3, 1993	Mar. 14, 1978.
Michigan:			
Ingalston, township of Menominee County	260660	June 9, 1993	Do.
Lake, township of Menominee County	260908	.....do	Do.
Mellen, township of Menominee County	260692	.....do	Do.
Ray, township of Macomb County	260910	.....do	Do.
Roseville, City of Macomb County	260909	.....do	Do.
Illinois: Godfrey, village of Madison County	171031	June 18, 1993	Do.
Missouri: Camden County, unincorporated areas	290789	.....do	Apr. 19, 1983.
Nebraska: Howard County, unincorporated areas	310446	June 21, 1993	Do.
Indiana: Lawrence County, unincorporated areas	180441	June 24, 1993	Sept. 29, 1978.
New Mexico: San Miguel County, unincorporated areas	350132	June 28, 1993	Aug. 16, 1977.
Texas: Presidio, city of Presidio County	481651	.....do	Do.
Oklahoma: Wayne, town of McClain County	400450	June 30, 1993	Do.
New Eligibles—Regular Program			
Vermont: Hartland, town of Windsor County	500149	June 3, 1993	June 15, 1988.
Iowa: Fredonia, city of Louisa County	190300	June 4, 1993	Feb. 6, 1991.
California: Murrieta, city of Riverside County[1]	060751	June 9, 1993	Do.
Nebraska: Hamilton County, unincorporated areas	310441	June 21, 1993	Dec. 2, 1992.
Michigan:			
Cedarville, township of Menominee County	260659	June 24, 1993	Nov. 4, 1992.
Northern Mariana Islands, Commonwealth of	750001	June 28, 1993	May 15, 1991.
South Carolina: Awendaw, town of Charleston County[2].	450262	.....do	Do.
Reinstatements—Regular Program			
New York:			
Brushton, village of Franklin County	361480	May 23, 1984, Emerg.; Feb. 19, 1986, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Feb. 19, 1986.
Niles, town of Cayuga County	360119	July 21, 1975, Emerg.; Feb. 6, 1984, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Feb. 6, 1984.
Sempronius, town of Cayuga County	360123	Jan. 7, 1976, Emerg.; Nov. 4, 1983, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Nov. 4, 1983.
Illinois: Junction, village of Gallatin County	170245	May 1, 1975, Emerg.; Jan. 5, 1984, Reg.; Dec. 15, 1992, Susp.; June 21, 1993, Rein.	Jan. 5, 1984.
Regular Program Conversions			
Region I			
Maine:			
Abington, town of Plymouth County	250259	June 2, 1993, suspension withdrawn	June 2, 1993.
Middlefield, town of Hampshire County	250166	.....do	Do.
North Andover, town of Essex County	250096	.....do	Do.

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date
Pepperell, town of Middlesex County	250210	.....do	Do.
Region II			
New York:			
Bainbridge, village of Chenango County	360158	.....do	Do.
Champion, town of Jefferson County	360328	.....do	Do.
Region I			
New Hampshire: Hampstead, town of Rockingham County.	330211	June 16, 1993, suspension withdrawn	June 16, 1993.
Region II			
New York: Milton, town of Saratoga County	360722	.....do	Do.
Region II			
Pennsylvania:			
Greenwood, township of Crawford County	422390	.....do	Sept. 10, 1984.
Horsham, township of Montgomery County	420700	.....do	June 17, 1991.
Region IV			
Florida Charlotte County, unincorporated areas	120061	.....do	June 16, 1993.
Mississippi: Rankin County, unincorporated areas	280142	.....do	Do.
Region V			
Michigan: Fraser, township of Bay County	260657	.....do	Do.
Region VI			
Texas:			
Austin, city of Travis and Williamson Counties	480624	.....do	Do.
Hays County, unincorporated areas	480321	.....do	Do.
Manor, city of Travis County	481027	.....do	Do.
Travis County, unincorporated areas	481026	.....do	Do.
Region VII			
Missouri: St. Charles County, unincorporated areas	290315	.....do	Dec. 15, 1992.
Region IX			
Arizona:.			
St. Johns, city of Apache County	040010	.....do	June 16, 1993.

[1] The City of Murrieta has adopted by reference Riverside County's FIRM dated September 30, 1988 (Panel 0225B) and all subsequent amendments and/or revisions.

[2] The Town of Awendaw has adopted Charleston County's (#455413) Flood Insurance Study and Flood Insurance Rate Map (FIRM) dated November 4, 1992, for flood insurance purposes.

Code for reading fourth column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension; Rein.-Reinstatement.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: July 16, 1993.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 93–17546 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–21–P

44 CFR Part 64

[Docket No. FEMA–7580]

Suspension of Community Eligibility

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: James Ross MacKay, Acting Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646–2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the fourth column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain

management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, Federal Regulation, February 17, 1981, 3 CFR, 1981 Comp., p. 127. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Regular Program Conversions				
Region II				
New York:				
Gates, town of Monroe County	360416	July 30, 1974, Emerg; Aug. 2, 1993, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Aug. 2, 1993.
Middleton, town of Delaware County	360209	July 30, 1976, Emerg; May 15, 1985, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.
Watertown, City of Jefferson County	360354	July 23, 1975, Emerg; June 5, 1985, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.
Watertown, town of Jefferson County	360355	July 7, 1975, Emerg; Oct. 15, 1985, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.
Region III				
West Virginia:				
Jefferson County unincorporated areas	540065	Dec. 15, 1975, Emerg; Oct. 15, 1980, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.
Region V				
Minnesota:				
Chisago County unincorporated areas	270682	Sept. 4, 1975, Emerg; Apr. 18, 1983, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Region VI				
Oklahoma:				
Lindsay, city of Garvin County	380209	July 30, 1976 Emerg; May 15, 1985, Reg; Aug. 2, 1993, Susp.	Aug. 2, 1993	Do.
Regular Program Conversions				
Region I				
Connecticut:				
Berlin, town of Hartford County	090022	Jan. 14, 1975, Emerg; July 16, 1980, Reg; Aug. 16, 1993, Susp.	May 3, 1993	Aug. 16, 1993.
Maine:				
Glenburn, town of Penobscot County	230106	July 15, 1975, Emerg; Aug. 5, 1991, Reg; Aug. 16, 1993, Susp.	Aug. 16, 1993	Do.
Guilford, town of Piscataquis County	230117	July 17, 1975, Emerg; July 16, 1979, Reg; Aug. 16, 1993, Susp.	Aug. 16, 1993	Do.
Region III				
Pennsylvania:				
Washington, township of Westmoreland County.	422196	Jan. 3, 1977 Emerg; Apr. 16, 1982, Reg; Aug. 16, 1993, Susp.	Aug. 16, 1993	Do.
Buckingham, township of Wayne County.	422159	May 12, 1975, Emerg; Aug. 19, 1985, Reg; Aug. 16, 1993, Susp.	Aug. 16, 1993	Do.
Region V				
Wisconsin:				
Eau Claire County, unincorporated [illegible].	555552	May 28, 1971, Emerg; Jan. 12, 1973, Reg; Aug. 16, 1993, Susp.	Aug. 16, 1993	Do.

Code for reading fourth column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: July 16, 1993.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 93–17547 Filed 7–23–93; 8:45 am]

BILLING CODE 6718-21-P

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44 CFR Part 64

[Docket No. FEMA–7579]

Suspension of Community Eligibility

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES. As shown in the fifth column of the tables below.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: James Ross Mackay, Acting Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646–2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures.

On August 25, 1986, FEMA published a final rule in the **Federal Register** that revised the NFIP floodplain management requirements. The rule became effective on October 1, 1986. As a condition for continued eligibility in the NFIP, 44 CFR 60.7 gives communities six months to revise their floodplain management regulations to comply with any revised NFIP regulation or be subject to suspension from participation in the NFIP.

The communities listed in this document no longer meet the statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the fifth column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**. In the interim, if you wish to determine if a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed

in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirement, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, Federal Regulation, February 17, 1981, 3 CFR, 1981 Comp., p. 127. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State	Community name	County	Community No.	Effective date
Regular Program Conversions				
Region I				
Vermont	Jericho, Town of	Chittenden	500037	Aug. 2, 1993.
Region III				
Pennsylvania	Bethlehem, Township of	Northampton	420980	Do.
Do	Dauphin, Borough of	Dauphin	420375	Do.
Do	Delaware, Township of	Northumberland	421010	Do.
Do	Harrison, Township of	Potter	421978	Do.
Do	Swatara, Township of	Dauphin	420398	Do.
Do	Wayne, Township of	Mifflin	421240	Do.
Region V				
Indiana	Brook, Town of	Newton	180180	Aug. 16, 1993.
Do	Hamlet, Town of	Starke	180241	Do.
Do	Hamilton, Town of	Steuben	180000	Do.
Do	Remington, Town of	Jasper	180101	Do.
Do	Princeton, City of	Gibson	180073	Do.

(Catalog of Federal Domestic Assistance No 83.100, "Flood Insurance.")

Issued: July 16, 1993.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 93–17548 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–21–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 90–571; FCC 93–357]

Telecommunications Relay Services

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Third Report and Order (Third R&O) amends the Commission's rules regarding telecommunications relay services (TRS) to establish a shared-funding, TRS interstate cost recovery plan. This action is pursuant to requirements of the Americans with Disabilities Act of 1990 (ADA) which, among other things, amended Title II of the Communications Act of 1934 by adding section 225, and will have the effect of implementing an effective cost recovery program interstate TRS costs.

EFFECTIVE DATES: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Linda Dubroof, Domestic Facilities Division, Common Carrier Bureau, (202) 634–1808, or James Lande, Industry Analysis Division, Common Carrier Bureau, (202) 632–1371.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's Third R&O adopted July 15, 1993, and released July 20, 1993, in the matter of Telecommunications Relay Services, and the Americans with Disabilities Act of 1990, Third Report and Order (CC Docket 90–571, FCC 93–357). The Commission finds good cause for making the rule amendments effective on less than 30 days notice because Title IV of the ADA requires TRS implementation by July 26, 1993. The Third R&O and supporting file are available for inspection and copying during the weekday hours of 9 a.m. to 4:30 p.m. in the FCC Reference Center,

room 239, 1919 M St., NW., Washington, DC, or copies may be purchased from the Commission's duplicating contractor, ITS, 2100 M St., NW., suite 140, Washington, DC 20037, phone (202) 857–3800. The Third Report and Order will be published in the FCC Record.

OMB Review

The following collections of information contained in the final rules have been submitted to the Office of Management and Budget (OMB) for approval. Expedited review and approval of the information collections by August 3, 1993, has been requested.

Title: Rules and Requirements for Telecommunications Relay Services (TRS) Interstate Cost Recovery.

OMB Control No.: 3060–0536.

FCC Form No.: FCC Form 431.

Action: Revision.

Respondents: Businesses and other for profit, including small businesses.

Frequency of Response: On occasion and annually.

Estimated Annual Burden: 5,000 responses; 9.266 hours per response; 46,330 hours total.

Public burden for the collection of information is estimated as above. These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send comments regarding these burden estimates or any other aspect of the collections of information, including suggestions for reducing the burden, to the Federal Communications Commission, Records and Management Division, room 234, Paperwork Reduction Project, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060–0536), Washington, DC 20503.

Needs and Uses: The Third Report and Order adopts the rules and requirements that implement the shared-funding program for recovery of interstate TRS costs. The information will be used to administer the program. Respondents are all interstate service providers who must contribute to the TRS Fund and TRS providers seeking payment from the TRS Fund.

Analysis of Proceeding

This summarizes the Commission's Third R&O in the matter of Telecommunications Relay Services, and the Americans with Disabilities Act of 1990 (ADA), (CC Docket 90–571, FCC 93–357, adopted July 15, 1993, and released July 20, 1993). In the Report and Order and Request for Further Comments, released July 26, 1991, 6 FCC Rcd 4657 (1991), (56 FR 36729, August 1, 1991), the Commission adopted rules to implement the ADA. The rules require each common carrier providing telephone voice transmission services to provide TRS not later than July 26, 1993, throughout the area in which it offers services. Carriers may provide services individually, through designees, through a competitively selected vendor, or in concert with other carriers. The Commission also fashioned a comprehensive set of rules which set forth terminology and definitions of TRS, prescribe operational, technical, and functional minimum standards of all TRS providers, and delineate the state certification process. Specifically, the Commission's rules require that TRS shall be capable of handling any type of call normally provided by common carriers. The burden of proving the infeasibility of handling any type of call is on the carriers. With regard to confidentiality, the Commission's rules require that, consistent with the obligations of common carrier operators, TRS communications assistants (CAs) are prohibited from disclosing the content of any relayed conversation regardless of content. Furthermore, the Commission, noting that the record was not adequate to determine a specific cost recovery mechanism, sought further comments containing specific proposals on interstate cost recovery.

In an Order on Reconsideration, Second Report and Order, and Further Notice of Proposed Rulemaking, 8 FCC Rcd 1802 (1992), (58 FR 12175, March 3, 1993) (TRS II), released February 25, 1993, the Commission proposed rules tasking the National Exchange Carrier Associations, Inc. (NECA) with the responsibility for administering the shared-funding plan, but the Commission invited other proposals. Under the proposed rules, the Administrator's performance would be reviewed after an initial two year period.

In this Third R&O adopted July 15, 1993, the Commission adopts rules implementing the TRS Fund, a shared-funding mechanism to recover interstate TRS costs. The Commission, in this Third R&O determines that the TRS Fund will be administered for two years, on an interim basis, by NECA. NECA will be required to report administrative costs to the Commission on an annual basis and must establish a non-paid, voluntary, advisory committee to monitor the funding mechanism. The Commission will review the TRS Fund administrator's performance, and will entertain proposals by other parties interested in functioning as future administrator of the TRS Fund.

The Third R&O also clarifies the Commission's proposed rule defining "interstate" service and sets forth a method of calculating contributions to, and payments from, the TRS Fund. The Commission affirms that contributions shall be based on relative share of gross interstate revenues, and that interstate carriers services contributors shall include, but are not limited to: resale, cellular, access (including federal subscriber line charges), personal communications services (PCS), packet-switched, WATS, video, telex, mobile radio, 800, 900, operator, message telephone (MTS), private dedicated, international, satellite, and intraLATA service providers.

Initial contributions to the TRS Fund are due September 26, 1993. Contributors will calculate their contribution to the TRS Fund as the product of their subject revenues for the prior calendar year and contribution factor determined by the Commission. The minimum yearly contribution is $100. Appendix D of the Third R&O "TRS Fund Worksheet" outlines procedures for contributors to make their contributions to the TRS Fund Administrator.

Payments from the TRS Fund to TRS providers will be based on the average rate of interstate TRS minutes of use. TRS providers in compliance with the minimum standards set forth in the rules shall be eligible for TRS Fund payments. State contracted TRS providers selected by the state may submit data to the administrator and the administrator may make payments directly to those contracting parties.

The Commission found that imposition of Part 36 jurisdictional separations requirements on TRS providers who are not common carriers presents unnecessary administrative burdens. Therefore, the Commission directed the administrator to fashion a form that would establish adequate account definitions and procedures reasonably tailored to meet the needs of TRS. Further, the Commission found that existing accounting and separations rules should be adequate to deal with the provision of interstate TRS by subject service providers.

Final Regulatory Flexibility Analysis

Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 601, *et seq.*, the Commission's final analysis in this Third R&O is as follows:

I. *Need and Purpose of This Action*

This Third R&O further amends part 64 of the Commission's rules to require

that each common carrier engaged in interstate and/or intrastate telephone voice transmission services shall, no later than July 26, 1993, provide telecommunications relay services throughout the area in which it offers service. The rule amendments are required by the Americans with Disabilities Act of 1990, which, *inter alia*, added section 225 to the Communications Act of 1934, as amended, 47 U.S.C. 225. The rules are intended to ensure that interstate and intrastate telecommunications relay services are available, to the extent possible and in the most efficient manner, to individuals in the United States

II. *Summary of Issues Raised by the Public Comments in Response to the Initial Regulatory Flexibility Analysis*

No comments were submitted in direct response to the Initial Regulatory Flexibility Analysis.

III. *Significant Alternatives Considered*

The Order on Reconsideration, Second Report and Order and Further Notice of Proposed Rulemaking in this proceeding offered several proposals and requested comments as well as the views of commenters on other possibilities. The Commission has considered all comments, and has adopted most of its proposals in addition to some alternatives recommended by commenters. The Commission vehicles considers its Third R&O to be the most reasonable course of action under the mandate of Section 225 of the Communications Act of 1934, as amended.

The Secretary shall send a copy of this Third R&O including the certification to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(A) of the Regulatory Flexibility Act, Pub. L. No. 96–354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Ordering Clauses

1. Accordingly, It is Ordered, That, pursuant to Sections 1, 4(i), 4(j), 201–205, 225 and 403 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 151, 154(i), 154(j), 201–205, 225 and 403, Part 64 of the Commission's Rules and Regulations Is Amended as set forth below, effective July 26, 1993.[1]

2. It is Further Ordered, That the *TRS Fund Worksheet*, July 1993 is hereby adopted, and the worksheet will be published in the **Federal Register**.

3. It is Further Ordered, That, pursuant to the requirements of Section 604 of the Regulatory Flexibility Act, 5 U.S.C. 604, the Secretary shall cause a summary of this Third Report and Order to be published in the **Federal Register** which shall include a statement describing how members of the public may obtain such copies. The Secretary shall also provide a copy of this Third Report and Order to each state utility commission and to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 64

Communications, Common carriers, Handicapped, Individuals with hearing and speech disabilities, Telecommunications relay services.

Federal Communications Commission
William F. Caton,
Acting Secretary.

Amended Rules

Part 64 of chapter I of Title 47 of the Code of Federal Regulations, is amended as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for part 64 continues to read as follows:

Authority: Section 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 201, 218, 225, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 201, 218, 225 unless otherwise noted.

2. Section 64.604(c)(4)(iii) is added to read as follows:

§ 64.604 Mandatory minimum standards.

(c) * * *

(4) * * *

(iii) Telecommunications Relay Services Fund. Effective July 26, 1993, an Interstate Cost Recovery Plan, hereinafter referred to as the TRS Fund, shall be administered by an entity selected by the Commission (administrator). The initial administrator, for an interim period, will be the National Exchange Carrier Association, Inc.

(A) Contributions. Every carrier providing interstate telecommunications services shall contribute to the TRS Fund on the basis of its relative share of gross interstate revenues as described herein. Contributions shall be made by all carriers who provide interstate services, including, but not limited to, cellular telephone and paging, mobile radio, operator services, personal communications service (PCS), access (including subscriber line charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, intraLATA, international and resale services.

(B) Contribution computations. Contributors' contribution to the TRS fund shall be the product of their subject revenues for the prior calendar year and a contribution factor determined annually by the Commission. The contribution factor shall be based on the ratio between expected TRS Fund expenses to total interstate revenues. In the event that contributions exceed TRS payments and administrative costs, the contribution factor for the following year will be adjusted by an appropriate amount, taking into consideration projected cost and usage changes. In the event that contributions are inadequate, the fund administrator may request authority from the Commission to borrow funds commercially, with such debt secured by future years contributions. Each subject carrier must contribute at least $100 per year. Service providers whose annual contributions total less than $1,200 must pay the entire contribution at the beginning of the contribution period. Service providers whose contributions total $1,200 or more may divide their contributions into equal monthly payments. Contributions shall be calculated and filed in accordance with a "TRS Fund Worksheet," which shall be published in the Federal Register. The worksheet sets forth information that must be provided by the contributor, the formula for computing the contribution, the manner of payment, and due dates for payments. The worksheet shall be certified to by an officer of the contributor, and subject to verification by the Commission or the administrator at the discretion of the Commission. Contributors' statements in the worksheet shall be subject to the provisions of Section 220 of the Communications Act of 1934, as amended. The fund administrator may bill contributors a separate assessment for reasonable administrative expenses and interest resulting from improper filing or overdue contributions.

(C) Data collection from TRS Providers. TRS providers shall provide the administrator with true and adequate data necessary to determine TRS fund revenue requirements and payments. TRS providers shall provide the administrator with the following: total TRS minutes of use, total interstate TRS minutes of use, total TRS operating expenses and total TRS investment in general accordance with Part 32 of the Communications Act, and other

[1] We find good cause for making the rule amendments effective on less than 30 days notice because Title IV of the ADA requires TRS implementation by July 26, 1993.

historical or projected information reasonably requested by the administrator for purposes of computing payments and revenue requirements. The administrator and the Commission shall have the authority to examine, verify and audit data received from TRS providers as necessary to assure the accuracy and integrity of fund payments.

(D) The TRS Fund will be subject to a yearly audit performed by an independent certified accounting firm or the Commission, or both.

(E) Payments to TRS Providers. TRS Fund payments shall be distributed to TRS providers based on formulas approved or modified by the Commission. The administrator shall file schedules of payment formulas with the Commission. Such formulas shall be designed to compensate TRS providers for reasonable costs of providing interstate TRS, and shall be subject to Commission approval. Such formulas shall be based on total monthly interstate TRS minutes of use. TRS minutes of use for purposes of interstate cost recovery under the TRS Fund are defined as the minutes of use for completed interstate TRS calls placed through the TRS center beginning after call set-up and concluding after the last message call unit. In addition to the data required under paragraph (c)(4)(iii)(C) of this section, all TRS providers, including providers who are not interexchange carriers, local exchange carriers, or certified state relay providers, must submit reports of interstate TRS minutes of use to the administrator in order to receive payments. The administrator shall establish procedures to verify payment claims, and may suspend or delay payments to a TRS provider if the TRS provider fails to provide adequate verification of payment upon reasonable request, or if directed by the Commission to do so. TRS Fund administrator shall make payments only to eligible TRS providers operating pursuant to the mandatory minimum standards as required in § 64.604, and after disbursements to the administrator for reasonable expenses incurred by it in connection with TRS Fund administration. TRS providers receiving payments shall file a form prescribed by the administrator. The administrator shall fashion a form that is consistent with Parts 32 and 36 procedures reasonably tailored to meet the needs of TRS providers. The Commission shall have authority to audit providers and have access to all data, including carrier specific data, collected by the fund administrator. The fund administrator shall have authority to audit TRS providers reporting data to the administrator.

(F) TRS providers eligible for receiving payments from the TRS Fund are:

(1) TRS facilities operated under contract with and/or by certified state TRS programs pursuant to § 64.605; or

(2) TRS facilities owned by or operated under contract with a common carrier providing interstate services operated pursuant to § 64.604; or

(3) Interstate common carriers offering TRS pursuant to § 64.604.

(G) Any eligible TRS provider as defined in paragraph (c)(4)(iii) (F) of this section shall notify the administrator of its intent to participate in the TRS Fund thirty (30) days prior to submitting reports of TRS interstate minutes of use in order to receive payment settlements for interstate TRS, and failure to file may exclude the TRS provider from eligibility for the year.

(H) Administrator reporting, monitoring, and filing requirements. The administrator shall perform all filing and reporting functions required under paragraphs (c)(4)(iii) (A) through (J), of this section. Beginning in 1994, TRS payment formulas and revenue requirements shall be filed with the Commission on October 1 of each year, to be effective for a one-year period beginning the following January 1. The administrator shall report annually to the Commission an itemization of monthly administrative costs which shall consist of all expenses, receipts, and payments associated with the administration of TRS Fund. The administrator is required to keep the TRS Fund separate from all other funds administered by the administrator, shall file a cost allocation manual (CAM), and shall provide the Commission full access to all data collected pursuant to the administration of the TRS Fund. The administrator shall establish a non-paid, voluntary advisory committee of persons from the hearing and speech disability community, TRS users (voice and text telephone), interstate service providers, state representatives, and TRS providers, which will meet at reasonable intervals (at least semi-annually (in order to monitor TRS cost recovery matters. Each group shall select its own representative to the committee. The administrator's annual report shall include a discussion of advisory committee deliberations.

(I) Information filed with the administrator. The administrator shall keep all data obtained from contributors and TRS providers confidential, shall not use such data except for purposes of administering the TRS Fund, and shall not disclose such data in company-specific form unless directed to do so by the Commission. The Commission shall have access to all data reported to the administrator, and authority to audit TRS providers.

(J) The administrator's performance and this plan shall be reviewed by the Commission after two years.

(K) All parties providing services or contributions or receiving payments under this section are subject to the enforcement provisions specified in the Communications Act, the Americans with Disabilities Act, and the Commission's rules.

* * * * *

Appendix

Note: This appendix will not appear in the Code of Federal Regulations.

CALCULATION OF THE TRS FUND CONTRIBUTION FACTOR

	Reportable revenue (millions)	Percent Interstate	Interstate revenue (millions)
Total Toll Revenue[1]	$71,803	55	$39,492
Interstate Access[2]	23,254	100	23,254
Cellular[3]	5,131	14	718
Total Subject Revenue			63,464
First Year Fund Requirement			30
Contribution Rate[4]			0.00047

[1] 1991 Total toll service revenues from the "Long Distance Market", March 26, 1993, plus 3.5% annual growth. The 55% allocation is based on the ratio of interstate dial equipment minutes to total toll dial equipment minutes are reported in the "Monitoring Report", CC Docket No. 87-339, May 1993.

[2] From the 1991/1992 Statistics of Communications Common Carriers.

[3] 1990 Cellular and other radio telephone revenues reported in the "Annual Survey of Communications Services: 1990", by the U.S. Department of Commerce, plus 20% annual growth. The 14% allocation is based on the ratio of interstate dial equipment minutes to total dial equipment minutes

[4] Carriers with interstate revenues of less than $212 thousand will pay $100. Carriers with interstate revenues exceeding $2539 thousand can pay monthly.

TRS Fund Worksheet

Subject to OMB approval
Expires
Estimated Average
Burden Hours Per
Response: 2 hours.

Instructions for Completing the Worksheet for Calculating and Filing Carrier Contributions to fund Interstate Telecommunications Relay Service (TRS)—July 1993; Notice to Individuals

Section 64.604(c)(4)(iii) of the Commission's Rules requires all carriers providing interstate service to complete this worksheet and to contribute funding for interstate Telecommunications Relay Service (TRS). The collection of information and fees stems from the Commission's authority under the Communications Act of 1934, Sections 4, 48, 48 Stat. 1066, as amended, 47 U.S.C. 154 unless otherwise noted. Interpret or apply sections 201, 211, 218, 219, 220, 225 48 Stat. 1073, 1077, as amended; 47 U.S.C. 201, 211, 218, 219, 220, 225. The data in the report will be used to ensure that carriers properly fund interstate TRS. Selected information provided in the worksheet will be made available to the public in a manner consistent with the Commission's Rules. All carriers providing interstate telecommunications service must file this worksheet.

The foregoing Notice is required by the Privacy Act of 1974, P.L. 93.579, December 31, 1974, 5 U.S.C. 552(a)(e)(3), and the Paperwork Reduction Act of 1980. P.L. 96–511, Section 3504(c)(3).

Public reporting burden for this collection of information is estimated to average 2 hours per response including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection and information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction project (3060), Washington, DC 20503.

I. Information

On July 15, 1993, the Commission adopted rules that require all providers of interstate telecommunications services to contribute to the provision of TRS based on their proportionate share of gross interstate revenues. Section 64.604(c)(4)(iii) directs carriers to calculate and file their contribution in accordance with TRS Fund Worksheet.

Contributions shall be calculated and filed in accordance with a "TRS Fund Worksheet", which will be prepared and published in the Federal Register. The worksheet sets forth information that must be provided by the contributor, the formula for computing the contribution, the manner of payment, and due dates for payments.

II. Filing Requirements and General Instructions

A. Who must file

All common carriers providing interstate telecommunications services within the United States must file this worksheet. For this purpose, the United States is defined as the conterminous United States, Alaska, Hawaii, American Samoa, Baker Island, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Navassa Island, the Northern Mariana Islands, Palmyra, Puerto Rico, the U.S. Virgin Islands, and Wake Island.

For the purpose of calculating TRS contributions, interstate telecommunications service includes, but is not limited to the interstate portion of the following types of services: cellular telephone and paging, mobile radio, operator services, persona' communications service (PCS), access (including Subscriber Line Charges), alternative access and special access, packet-switched, WATS, 800, 900, message telephone service (MTS), private line, telex, telegraph, video, satellite, international, intraLATA, and resale services. Carriers that provide only intrastate service need not file. Note, however, that all local exchange carriers provide interstate access services, and must file.

Entities may not file summary reports for more than one carrier. Each legal entity that provides interstate telecommunications service must file separately. All affiliates or subsidiaries should identify the ultimate controlling parent or entity in Block 1, Line (1-b)—Holding Company.

B. When and Where to File

The 1993 TRS contribution period will fund interstate TRS provided between July 26, 1993 and April 30, 1994. Monthly contributions for the 1993 TRS contribution period must be received by the 26th of each month for September 1993 through March 1994. A revised TRS Worksheet will be released for the 1994 TRS contribution period. The revised TRS Worksheet will have instructions for payments due April 26, 1994 through March 26, 1995.

The legal name of the carrier should be shown on all checks exactly as it appears on the completed TRS Fund Worksheet. Do not mail the TRS worksheet or TRS contribution checks to the FCC. Payments must be received by the FCC TRS Fund Administrator—the National Exchange Carrier Association (NECA)—no later than the dates indicated below. The filing schedule is as follows:

Mailing address	Worksheet due September 26, 1993	Payments due September 26, 1993 through March 26, 1993*
NECA TRS, P.O. Box 360090, Pittsburgh, PA., 15251–6090 ...	.....	Clerk**.
NECA, FCC TRS Fund Administration, 100 South Jefferson Rd., Whippany, NJ., 07981.	Completed Worksheet	Photocopy of check**.
Telephone: 201–884–8000	.....	

* Carriers whose total 1993 TRS contribution is less than $1200 must pay the total amount to the FCC TRS Fund Administrator no later than September 26, 1993. Carriers whose total 1993 TRS contribution is $1200 or greater may elect to make seven equal monthly payments with the first payment due to the FCC TRS Fund Administrator no later than September 26, 1993.

** Carriers are encouraged to contact the FCC TRS Fund Administrator to make arrangements for Electronic Funds Transfer.

C. Rounding of Numbers

All information provided in the worksheet, except the signature, should be neatly printed in ink or typed. Reported revenues in block 2, column (b) may be rounded to the nearest thousand dollars. Regardless of rounding, all dollar amounts must be reported in whole dollars. For example, $2,271,881.93 could be reported as $2,271,882 or as $2,272,000, but could not be reported as $2272 thousand or $2.272 million.

Percentages reported in block 2, column (c) should be rounded to the nearest whole percent. For example, if the ratio of interstate to total revenue was .4269155, then the figure 43% should be reported. Percentages between 0% and 1% should be reported as 1%.

Interstate revenues are calculated as total revenues in column (b) times the percentage shown in column (c). Calculated interstate revenues should be rounded to the nearest whole dollar and entered in column (e). Similarly, the total contribution (block 3, line (18)) and amounts enclosed with the filing (block 3, line (19)) should be rounded to the nearest whole dollar.

D. Compliance

Carriers failing to file the TRS Worksheet in a timely fashion are subject to the fines prescribed in Section 219(b) of the Communications Act of 1934 (the Act). Carriers filing false information are subject to fines or imprisonment as specified in Section 220(e) of the Act. Carriers failing to contribute in a timely fashion are subject to fines prescribed in Section 503(b) of the Act. In addition, Section 64.604(c)(4) of the Commission's Rules authorizes the FCC Fund Administrator to bill a carrier for reasonable costs, including legal fees, that are caused by improper filing of the worksheet or overdue TRS contributions.

III. Specific Instructions

A. Block 1: Carrier Identification

Block 1 of the TRS Fund Worksheet requires identification information, including: the legal name of the carrier; the holding company or controlling entity, if any, the principal name under which the company conducts carrier activities; and, the complete mailing address of the corporate headquarters. In addition, Block 1 requests a telephone number that can be used for customer inquiries. Information provided in Block 1 will be published by the Common Carrier Bureau in the "Long Distance Carrier Locator".

B. Block 2: Carrier revenue for calendar year 1992.—1. Column (b)

Provide gross revenues for all telecommunications services. Gross revenues consist of total revenues billed to customers with no allowances for uncollectibles. For international service, gross revenues consist of gross revenues billed by U.S. carriers with no allowances for settlement payments. Gross revenues should also include any surcharges on communications services that are billed to the customer and either retained by the carrier or remitted to a non-government third party under contract. Gross revenues should exclude taxes and any surcharges that are not recorded as revenue, but which are instead remitted to government bodies.

Report carrier revenues using the categories shown in column (a) of Block 2. Carriers required to use the Uniform System of Accounts (USOA) prescribed in Part 32 of the Commission's rules should base their response on their USOA account data. Other carriers should divide gross revenues based on the following descriptions.

Line (5)—Local exchange service—should include the basic local service revenues of local exchange carriers except for local private line revenue, access revenues, and revenues from providing mobile or cellular services to the public. Line (5) should include Account 5001—basic area revenue; Account 5002—Optional extended area revenue; Account 5003—Cellular mobile revenue (revenue to the local exchange carrier for messages between a cellular customer and another station within the mobile service area); Account 5050—Customer premises revenue; Account 5060—Other local exchange revenue; and, Account 5069—Other local exchange revenue settlements. Line (5) should also include amounts in Account 5004—Other mobile services revenue—that were derived from connecting with mobile service carriers.

Line (6)—Local private line service—should include revenues from providing local services that involve dedicated circuits, private switching arrangements and/or predefined transmission paths. Line (6) should include amounts recorded in Account 5040—Local private line revenue.

Line (7)—Mobile radio, cellular, and paging—should include revenues from the provision of mobile radio, cellular, and paging services to the public. Line (7) should also include amounts in Account 5004—Other mobile services revenue—that were derived from providing service directly to the public.

Line (8)—Alternative access, PCS & other—should include all other local service revenues, including revenues for competitive access providers, personal communications services (PCS), etc. Line (8) should include Account 5200—Miscellaneous revenue.

Long distance revenues include intrastate, interstate, and international long distance services. Divide long distance revenues between access service, operator service, other switched service, long distance private line services, and all other long distance services.

Line (9)—Interstate access—should include revenues in Account 5081—End User revenue; Account 5082—Switched access revenue; and, Account 5083—special access revenue. Only local exchange carriers should be reporting data in line (9).

Line (10)—Intrastate access—should include revenues in Account 5084—State access revenue. Only local exchange carriers should be reporting data in line (10).

Line (11)—Operator service—should include all credit card calls, person to person calls, and calls with alternative billing arrangements such as third number billing and collect calls. Operator service revenues should include all toll traffic from coin, accommodation and prison telephones.

Line (12)—Non-operator switched toll service—should include amounts from Account 5100—Long distance message revenue—except for amounts reported in Line (11). Line 12 includes WATS, 800, 900, "WATS like" and similar service.

Line (13)—Long distance private line service—should include revenue from dedicated circuits, private switching arrangements, and/or predefined transmission paths, extending beyond the basic service area. Line (13) should include Account 5120—Long distance private network revenue.

Line (14)—All other long distance—should include all other revenues from providing long distance communications services. Line (14) should include Account 5160—Other long distance revenue.

Total the figures in column (b) for Line (5) through Line (14) and enter this amount in Line (15b). This should represent the total communications revenues for the company.

2. Column (c) and Column (d)

For each entry in Line (5) through Line (14), estimate the percentage of revenues in column (b) that are for interstate and/or international service, and enter this percentage in Column (c). Interstate revenues include all revenues received for calls that do not originate and terminate in the same state. For example, if a cellular carrier collects a fixed amount of revenue per minute of traffic, and 10% of minutes are interstate, then interstate revenues would include 10% of the per minute revenues.

Wherever possible, carriers should calculate the percentage of total revenues that are interstate by using information from their books of accounts and other internal data reporting systems. Carriers who cannot calculate a percentage by using information from their books of accounts and other internal data reporting systems, may elect to rely on a special study to estimate the percentages. Place a check mark in Column (d) if the percentage shown in column (c) was based on a special study.

3. Column (e)

Multiply the gross revenues reported in column (b) by the interstate percentages reported in column (c), putting the results in column (e). The sum of the figures in column (e), lines (5) through (14), should be entered in line (15e).

C. Block 3: Calculation of Contribution

Use block 3 in the worksheet to calculate the TRS contribution for the period July 1993 through April 1994. Total interstate revenues from line (15e) should be copied to line (16). This amount must be multiplied by the Contribution Rate shown in line (17), with the result entered in line (18). The contribution rate is 0.00047 for the 1993 filing year.

If the result of the calculation is less than $100, then the total contribution for the period July 1993 through March 1994 is $100. If the total contribution is less than $1,200, then the carrier should remit the total contribution with the worksheet. If the total liability is equal to or greater than $1,200, then the carrier may elect to make 7 equal monthly payments. The monthly contribution should be calculated as the amount in line (18) divided by 7.0, rounded to the nearest whole dollar. Enter the amount of the September 26, 1993 fund contribution in line (19). If the carrier elects to make monthly contributions, the six additional monthly contributions must be received by the 26th of succeeding months, October 1993 through March 1994.

Section II–B above provides directions for mailing the completed TRS Fund Worksheet and checks for amounts due to the FCC Funding Administrator. Carriers who check the box in line (19) will receive monthly payment reminders. These reminders will be mailed to the address shown in line (3). Failure to receive a reminder notice will not justify late payment.

The seven payment schedule specified above is adopted for transition purposes. On April 26, 1994, carriers will file a worksheet using data for calender 1993. Carriers whose contributions are $1,200 or greater will be allowed to make 12 equal payments to fund TRS for May 1994 through April 1995.

D. Block 4: Certification

An officer of the fund contributor must examine the data provided in the TRS Fund Worksheet and certify that the information provided therein is accurate. In addition, the fund contributor should provide the name of a contact person who can provide clarifications, if necessary, and who could serve as the first point of contact in the event that either the FCC or the FCC Fund Administrator should choose to audit information provided by the company.

BILLING CODE 6712-01-M

Annual TRS Fund Worksheet

Subject to OMB Approval Expires
Estimated Average Burden Hours Per Response: 2 hours

(Please read instructions before completing)

Block 1: Carrier Identification

1a Legal Name of Carrier	
1b Holding Company	
2 Principal Name for Carrier Activities	
3 Complete Mailing Address of Carrier Corporate Headquarters	
4 Telephone # for Customer Inquiries	( ) -

Block 2: Carrier revenue for calendar year 1992

(a)	Gross Revenues (b)	% interstate (c)	Special study (d)	Interstate Revenues (e) = (b) x (c)
Local Services				
5 Local exchange service	$	%		$
6 Local private line service	$	%		$
7 Mobile radio, cellular, and paging	$	%		$
8 Alternative access PCS & other	$	%		$
Long Distance				
9 Interstate access	$	100 %		$
10 Intrastate access	$	0 %		$ 0
11 Operator service	$	%		$
12 Non-operator switched toll service	$	%		$
13 Long distance private line service	$	%		$
14 All other long distance	$	%		$
15 Total lines 5 through 14	$			$

Block 3: Calculation of Contribution

16 Interstate Revenues from Line 15e	$
17 Contribution Rate:	x 0.00047
18 Total CONTRIBUTION for July 1993 through March 1994: line 16 x line 17 [if line 16 is greater than $0 then the minimum contribution is $100]	$
19 Contribution to be paid this month: [Enter the amount from line 18 if it is less than $1200. Otherwise, the contributor may divide line 18 by 7.0 to calculate equal monthly contributions.] Check here for monthly billing reminders <----------> ☐	$

Block 4: CERTIFICATION

I certify that I am an officer of the carrier named above, that I have examined the foregoing report and that to the best of my knowledge, information and belief, all statements of fact contained in this worksheet are true and that said worksheet is an accurate statement of the affairs of the above named carrier for the period January 1, 1992 through December 31, 1992.

20 Printed Name of Officer	
21 Position with carrier	
22 Signature	
23 Date	
24 Contact Person	
25 Telephone Number of Contact Person	( ) -

Mail checks to: NECA TRS P.O. Box 360090 Pittsburgh, PA 15251-6090 For additional information call NECA 202-884-8000
Mail worksheet and photocopy of checks to: NECA - FCC TRS Fund Administration 100 South Jefferson Rd. Whippany, NJ 07981

Persons making willful false statements in the worksheet can be punished by fine or imprisonment under the Communications Act, 47 U.S.C. 220 (e).

FCC 431
July 1993

[FR Doc. 93-17785 Filed 7-23-93; 8:45 am]
BILLING CODE 6712-01-C

DEPARTMENT OF ENERGY

48 CFR Parts 913, 922, 952, and 970

Acquisition Regulation; Contractor Employee Protection Program and Nuclear Hot Cell Services; Correction

AGENCY: Department of Energy (DOE).

ACTION: Correction of final regulations.

SUMMARY: This document contains corrections to the final rules which were published on December 4, 1992, (57 FR 57638) and February 18, 1993, (58 FR 8909). The regulations involve the Contractor Employee Protection Program and provisions involving contracts for nuclear hot cell services.

EFFECTIVE DATES: January 4, 1993, for the Contractor Employee Protection Program and March 22, 1993, for the nuclear hot cell services contract provisions.

FOR FURTHER INFORMATION CONTACT: Richard B. Langston, Office of Procurement, Assistance and Program Management, (PR–121), Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–8247.

SUPPLEMENTARY INFORMATION:

Background

The regulations that are the subject of these corrections established the Contractor Employee Protection Program and added provisions involving contracts for nuclear hot cell services. The corrections revise an erroneous cross reference, remove "§" symbols which are not used in title 48, revise the effective date of contract clauses, and correct paragraph designations.

Correction of Publication

1. The regulation published December 4, 1992, at 57 FR 57638, is corrected as follows:

922.7101 [Corrected]

On page 57639, third column, the reference in the second sentence of 922.7101 to "970.2274(b)" is changed to "970.2274(c)" and the two section symbols "§" in 922.7101 are removed.

913.507, 952.222–70, 970.2274–2, and 970.5204–59 [Correction]

Remove the section symbols "§" where they appear in:

—Page 57639, second column, section 913.507, second sentence;

—Page 57639, third column, section 952.222–70, both occurrences;

—Page 57640, second column, section 970.2274–2; and,

—Page 57640, third column, section 970.5704–59, three occurrences.

970.5204–59 [Corrected]

The date beside the clause title on page 57640, third column, is changed from "(December, 1992)" to "(JAN 1993)".

2. The regulation published February 18, 1993, at 58 FR 8909, is corrected as follows:

952.225–70 [Corrected]

On page 8911, first column, the date beside the clause title is changed from "(February, 1993)" to "(MAR 1993)" and in the third column at paragraph (b) of the clause a "(1)" is added before the word "consider" and a "(2)" is added before the word "add"; "(1)" is changed to "(i)" before the first use of the words "one or more"; and "(2)" is changed to "(ii)" before the second use of the words "one or more" in the first sentence.

Issued in Washington, DC on July 19, 1993.

Berton J. Roth,

Acting Director, Office of Procurement, Assistance and Program Management.

[FR Doc. 93–17582 Filed 7–23–93; 8:45 am]

BILLING CODE 6450–01–M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1145

[Ex Parte No. 394 (Sub-No. 10) Ex Parte No. 394 (Sub-No. 11)]

Railroad Rates on Recyclables—Exemptions; Cost Ratio for Recyclables—1993 Determination

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: The Commission amends its regulations to clarify that the prior partial exemption from regulation for certain nonferrous recyclable commodities is not limited to tariff filing and participation in annual compliance proceedings. Also, the regulations are amended to include additional recyclables in the list of commodity groups that qualify, under the procedures set forth in the Commission's regulations, for partial exemption from regulation.

EFFECTIVE DATE: July 23, 1993.

FOR FURTHER INFORMATION CONTACT: Thomas A. Schmitz, (202) 927–5720; W. C. Walston, (202) 927–6221; or David T. Groves, (202) 927–6395. [TDD for hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: In Railroad Rates on Recyclables—Exemptions, 9 I.C.C.2d 593 (1993), procedures for partially exempting certain nonferrous recyclables from regulation were adopted. The decision specifically stated (*id.* at 603, emphasis in original) that certain recyclable commodities "are exempt[ed] from all regulatory requirements *except* the prohibition against raising above-the-cap rates." According to some commentors, however, the regulations adopted did not clearly delineate the scope of the exemption. The Commission amends Part 1145 of its regulations to state clearly that the commodities at issue are exempt from all regulation except maximum rate regulation.

Part 1145 is amended as set forth below, to reflect the fact that in Cost Ratio for Recyclables—1993 Determination, 9 I.C.C.2d *753* (July 23, 1993), five recyclable commodity groups were found to recover revenues less than the variable cost of the transportation, thus qualifying for partial exemption. The five commodity groups, which will be added to the list of partially exempted commodity groups shown in Part 1145 are those covered by Standard Transportation Commodity Code (STCC) recyclables STCC 22941, Textile Waste Processed; STCC 40221, Textile Waste, Scrap; STCC 42111 Shipping Containers (non-revenue); STCC 42112 Shipping Devices (non-revenue); and STCC 42311 Shipping Containers (returned empty).

Additional information is contained in the Commission's decisions. To obtain copies of the full decisions, write to, call, or pick up in person from: Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, Washington, D.C. 20423, Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD Services (202) 927–5721.]

Environmental and Energy Considerations

These actions will not significantly affect either the quality of the human environment or conservation of energy resources.

Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 605(b), we conclude that our actions in these decisions will not have a significant economic impact on a substantial number of small entities. No new regulatory requirements are imposed, directly or indirectly, on such entities. The decision in Ex Parte No. 394 (Sub-No. 10) simply clarifies the scope of the partial exemption issued earlier. The decision in Ex Parte No. 394 (Sub-No. 11) is largely a ministerial application of established cost formulas, and, as such, the economic impact, if any, of the

exercise on small entities will be minimal.

List of Subjects in 49 CFR Part 1145

Administrative practice and procedure, Freight, Railroads.

Decided: July 14, 1993.

By the Commission, Chairman McDonald, Vice Chairman Simmons, Commissioners Phillips, Philbin, Walden.

Sidney L. Strickland, Jr.,

Secretary.

For the reasons set forth in the preamble, Title 49, Chapter X, Part 1145 of the Code of Federal Regulations is amended as set forth below.

PART 1145—RAILROAD RATES ON RECYCLABLE COMMODITIES

1. The authority citation for part 1145 continues to read as follows:

Authority: 49 U.S.C. 10321, 10505, 10731, and 10707a; 5 U.S.C. 553.

2. § 1145.9 is revised to read as follows:

§ 1145.9 Exemptions.

Unless otherwise ordered in a revocation proceeding, commodity groups whose revenues, both in the aggregate and for any carriers reporting individually, have been found in an annual compliance proceeding under these regulations to be below the variable costs of providing the service for all territories will be exempted from regulation, except that they will continue to be subject to the statutory provision prohibiting railroads from increasing individual rates that are already above the cap. Recyclable commodity groups will not be exempted if any individual movements of a commodity in the group have been shown by a shipper to exceed the statutory rate cap. Commodity groups currently qualifying for the partial exemption are Standard Transportation Commodity Code (STCC) 20511, Bakery Products; STCC 22941, Textile Waste Processed; STCC 22994, Packing or Wiping Cloths or Rags (Processed Textile Matter); STCC 30311, Reclaimed Rubber; STCC 40221, Textile Waste, Scrap; STCC 40261, Rubber or Plastic Scrap or Waste; STCC 41115, Articles, Used, Returned for Repair or Reconditioning; STCC 42111 Shipping Containers (non-revenue); STCC 42112 Shipping Devices (non-revenue); and STCC 42311 Shipping Containers (returned empty).

[FR Doc. 93–17667 Filed 7–23–93; 8:45 am]
BILLING CODE 7035–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 625

[Docket No. 930497–3097; I.D. No. 071593A]

Summer Flounder Fishery

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule, extension of effective dates.

SUMMARY: An emergency interim rule is in effect through August 5, 1993, which revises the percentage of the summer flounder commercial quota allocated to the states and makes additional quota available to commercial vessels landing summer flounder in the State of Connecticut. The Secretary of Commerce (Secretary) extends the emergency interim rule for an additional 90 days from August 6 through November 3, 1993, because conditions warranting the emergency still exist.

EFFECTIVE DATE: The interim regulations amending part 625 published on May 7, 1993 (58 FR 27214) are extended from August 6 through November 3, 1993.

ADDRESSES: Copies of documents supporting this action may be obtained from: Richard B. Roe, Regional Director, National Marine Fisheries Service, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930–3799.

FOR FURTHER INFORMATION CONTACT: Hannah Goodale, Fishery Policy Analyst, 508–281–9101.

SUPPLEMENTARY INFORMATION: Under section 305(c) of the Magnuson Fishery Conservation and Management Act (Magnuson Act), the Secretary promulgated an emergency interim rule (58 FR 27214, May 7, 1993) that revised the percentages of 1993 commercial quota allocated to the states and made additional quotas available to commercial vessels landing in the State of Connecticut. The emergency rule was effective from May 4 through August 5, 1993. With the agreement of the Mid-Atlantic Fishery Management Council, the Secretary extends the emergency interim rule for another 90 days under section 305(c)(3)(B) of the Magnuson Act because conditions warranting the emergency still exist. The emergency rule is exempt from the normal review procedures of E.O. 12291 as provided in section 8(a)(1) of that order. This rule was reported to the Director of the Office of Management and Budget with an explanation of why it was impossible to follow the procedures of that order.

Authority: 16 U.S.C. 1801 *et seq.*

List of Subjects in 50 CFR Part 625

Fisheries, Reporting and recordkeeping requirements.

Dated: July 21, 1993.

Nancy Foster,

Acting Assistant Administrator for Fisheries.

[FR Doc. 93–17696 Filed 7–23–93; 8:45 am]
BILLING CODE 3510–22–M

50 CFR Parts 672 and 675

[Docket No. 930233–3166; I.D. 120493C]
RIN 0648–AC39

Groundfish of the Gulf of Alaska, Groundfish of the Bering Sea and Aleutian Islands Area

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule; technical amendment.

SUMMARY: NMFS is implementing regulatory amendments applicable to the groundfish fisheries off Alaska. The amendments will revise the existing definition of a pelagic trawl, implement a performance standard for trawls, and define a non-pelagic trawl. These measures are necessary to address management concerns in the groundfish fisheries. They are intended to promote the goals and objectives of the fishery management plans with respect to groundfish management off Alaska. A technical amendment also is implemented to correct an error in 50 CFR part 675.

EFFECTIVE DATE: August 19, 1993.

ADDRESSES: Individual copies of the environmental assessment/regulatory impact review/final regulatory flexibility analysis (EA/RIR/FRFA) prepared for this action may be obtained from the Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802.

FOR FURTHER INFORMATION CONTACT: Ronald J. Berg, Chief, Fisheries Management Division, 907–586–7229.

SUPPLEMENTARY INFORMATION:

Background

Fishing for groundfish by U.S. vessels in the exclusive economic zone of the Gulf of Alaska (GOA) and Bering Sea and Aleutian Islands management areas (BSAI) is managed by the Secretary of Commerce (Secretary) according to the Fishery Management Plan (FMP) for Groundfish of the GOA and the FMP for

the Groundfish Fishery of the BSAI. These FMPs were prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (Magnuson Act) and are implemented by regulations governing the U.S. groundfish fisheries at 50 CFR parts 672 and 675. General regulations that also pertain to U.S. fisheries appear at 50 CFR part 620.

At times, amendments to regulations at 50 CFR parts 672 and 675 are necessary for conservation and management of the groundfish fisheries. This rule implements amendments to regulations as follows: (1) The existing definition of a pelagic trawl in §§ 672.2 and 675.2 is revised; (2) § 672.7 is revised to prohibit having on board 20 or more crabs caught with trawl gear when directed fishing for groundfish with trawl gear is prohibited; (3) § 675.7 is revised to prohibit having on board 20 or more crabs caught with trawl gear when directed fishing for pollock with nonpelagic trawl gear is prohibited; and (4) §§ 672.2 and 675.2 are amended by adding a definition of a nonpelagic trawl.

A proposed rule was published in the **Federal Register** on April 1, 1993 (58 FR 17196), that provided a description of, and basis for, these amendments to regulations. The proposed rule also contained amendments to directed fishing standards at §§ 672.20(g) and 675.20(h)(1). NMFS has determined that those amendments will not clearly resolve fisheries management problems as intended and will propose a revised regulatory amendment at a later date.

A complete discussion of the measures being implemented in this action is contained in the preamble to the proposed rule. Public comment on the proposed rule was invited through April 30, 1993. Four letters of comments were received during the comment period. They are summarized and responded to below. Additional information also is available in the EA/RIR/FRFA.

Upon reviewing the reasons for, and the comments on, these regulatory changes, the Secretary has determined that this rule is necessary for fisheries conservation and management, and has approved it.

Changes in the Final Rule From the Proposed Rule

Proposed paragraphs 672.7(k) and 675.7(m) are redesignated as paragraphs 672.7(m) and 675.7(n) to accommodate new paragraphs recently implemented by final regulations.

Redesignated paragraphs 672.7(m) and 675.7(n) are changed to stipulate that only those crabs that are larger than 1.5 inches (38 millimeters) across the widest dimension will be considered for purposes of the trawl performance standard of 20 or more of any crab species.

In addition, paragraph 675.7(n) is changed to read, "Have on board at any particular time 20 or more crab * * *" rather than the proposed text, which read, "Catch 20 or more crab * * *". This change will make paragraph 675.7(n) consistent with the text in paragraph 672.7(m), as was intended by NMFS.

Proposed amendments to directed fishing standards at §§ 672.20(g) and 675.20(h)(1) are not being finalized in this action for the reason stated above.

The term net-sonde device is changed to net-sounder device in this final rule and also in existing regulatory text in §§ 672.24(d)(3) and 672.24(d)(4) to reflect vernacular used by the fishing industry.

Technical Amendment

Section 675.5(c)(2)(i) changes "Gulf of Alaska" to "Bering Sea and Aleutian Islands." Reference to the GOA is an error.

Response to Comments

Comment 1: The proposed definition of pelagic trawl should be adopted.

Response: NMFS agrees with the commenter.

Comment 2: The prohibition against the use of floats should not be implemented, because no evidence exists that having floats on a trawl will cause any detrimental effect on bycatch of flatfish or crabs. Most larger factory ships catch fish with traditional "high lift" nets or by collapsing midwater nets on the seabed during the day. At night they use large, fragile midwater nets.

Response: The prohibition against the use of floats has been discussed at length among industry representatives who participated in the development of the revised pelagic trawl definition. Representatives who say that floats should be allowed assert that when bottom doors are used with pelagic trawls, floats are needed to keep the mouth of the trawl open. Representatives who say that floats should not be allowed assert that certain vessel operators want to use floats to deploy midwater trawls in a manner similar to bottom trawls. If so, the use of floats tends to encourage fishing practices that the Council recommended be prohibited. Because the Secretary, in consultation with the Council, seeks to revise the definition of a pelagic trawl in a manner that will resolve past problems associated with a faulty pelagic trawl definition, he has determined that prohibiting the use of floats as proposed is a superior conservation and management measure with respect to accomplishing the goals and objectives of the Council. Therefore, the Secretary implements the revised definition including the prohibition against the use of floats.

Comment 3: While the proposed definition of a pelagic trawl is acceptable, the performance standard for the number of crab should be frameworked in the final rule to reflect changes in abundance of crab stocks.

Response: The fact that populations of crab increase or decrease in abundance is not relevant, because crabs should not be caught while using a pelagic trawl if it is deployed in a manner consistent with the Council's and agency's intent.

Comment 4: The proposed crab performance standard at 50 CFR 672.7(m), which reads, "have on board, at any particular time," is different from that at 50 CFR 675.2(n), which reads "catch * * * at any particular time." The latter standard of 20 crabs or more per tow is preferred.

Response: NMFS intended "have on board, at any particular time" in each regulation, and has adjusted the final rule at 50 CFR 675.7(n) accordingly. NMFS considered a performance standard on the basis of a tow, but instead has adopted the concept of the presence of crab at any particular time, as proposed. NMFS did so to avoid situations where vessel operators might avoid being in violation of the performance standard by contending that excessive numbers of crab resulted from more than one tow. NMFS recognizes that vessel operators must return any catch of any Tanner crab or king crab species, or parts thereof, to the sea immediately with a minimum of injury regardless of its condition. The crab performance standards applies to all crab species, some of which are not required by existing regulations to be immediately returned to the sea. NMFS is particularly concerned that enforcement officers would not be able to determine if numbers of crabs on board a vessel resulted from one tow or more than one tow. Therefore, NMFS has determined that the number of crab on board at any particular time is superior for purposes of fisheries conservation and management.

Comment 5: The term net-sounder rather than net-sonde should be used wherever it occurs in regulations.

Response: NMFS agrees and has revised this final rule and also existing regulatory text in §§ 672.24(d)(3) and 672.24(d)(4).

Comment 6: Enforcement officers must be able to measure mesh sizes and calculate buoyancy of kites or floats to make this definition effective.

Response: Enforcement officers are trained to measure the mesh sizes that are used to describe a pelagic trawl. These officers will be able to ascertain the buoyancy of a float used to support a net sounder by determining whether a float will buoy a weight heavier than that allowed in regulations.

Comment 7: NMFS and U.S. Coast Guard enforcement of the pelagic trawl performance standard should be applied using discretion and common sense to account for many variables associated with gear performance that are simply unpredictable.

Response: Enforcement will be based on the text of the regulations.

Comment 8: A minimum carapace size of 1.5 inches for crab should be implemented to account for small-sized crab that are regurgitated by fish in a trawl catch, making the crab appear as if they had been caught in the trawl.

Response: NMFS concurs that implementation of a minimum carapace size of crab is necessary to differentiate those crab that likely occurred in a trawl catch after being regurgitated by trawl-caught fish and has implemented a minimum carapace size in the final size.

Comment 9: Only those crab that are brought up in the codend should be used for the performance standard. Crab that become tangled in the wings of a trawl and consequently are brought on board a vessel should not be counted against the performance standard.

Response: NMFS and U.S. Coast Guard enforcement officers, upon boarding a vessel, may not have the means to determine whether crab on board came from the cod end or from the trawl wings. Enforcement officers will assume that any crab observed on board were caught incidentally with groundfish catches. Nonetheless, NMFS recognizes that crab brought on board a vessel after becoming tangled in the trawl wings is an issue that might require further resolution through regulations if subsequent information indicates that it is a problem.

Classification

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has determined that this final rule is necessary for the conservation and management of the groundfish fisheries off Alaska and that it is consistent with the Magnuson Act and other applicable laws.

NMFS prepared an EA for this final rule and the Assistant Administrator concluded that no significant impact on the human environment will result from its implementation. A copy of the EA is available (see ADDRESSES).

The Assistant Administrator determined that this rule is not a "major rule" requiring a regulatory impact analysis under Executive Order 12291. This determination is based on the RIR prepared by NMFS. A copy of the EA/RIR/FRFA may be obtained (see ADDRESSES).

NMFS prepared a final regulatory flexibility analysis, which concludes that this rule will have a significant economic impact on a substantial number of small entities. A summary of this determination was published at 58 FR 17196 (April 1, 1993), and a copy of this analysis is available (see ADDRESSES).

This rule contains a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by the Office of Management and Budget, OMB Control Number 0648–0213. The burden to groundfish processors to comply with weekly production reports is 15 minutes per report.

NMFS determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal management program of the State of Alaska. This determination was submitted for review by the responsible State agency under Section 307 of the Coastal Zone Management Act. Consistency is automatically inferred because the appropriate State agency did not reply within the statutory time period.

The Regional Director determined that fishing activities conducted under this rule will not affect endangered and threatened species under the endangered Species Act (ESA). Specifically, the Regional Director determined that fishing activities conducted under this action would not affect Steller sea lions in a way that was not already considered in the informal section 7 consultation on the final 1993 initial groundfish specifications that was concluded on January 27, 1993. The Regional Director also determined that fishing activities conducted under this action would not affect listed, proposed, and candidate seabirds under the ESA in a way that was not already considered in the informal section 7 consultation for the final 1993 initial groundfish specifications dated February 1, 1993, and clarified on February 12, 1993. Finally, the Regional Director determined that fishing activities conducted under this action would not affect listed species of Pacific salmon in a way that was not already considered in the informal section 7 consultation on the final 1993 initial ground specifications that was concluded on April 21, 1993. NMFS has determined that no further consultation pursuant to section 7 of the ESA is required for adoption of this final rule.

The Regional Director determined that fishing activities conducted under this rule will have no adverse impact on marine mammals.

This rule does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under E.O. 12612.

List of Subjects in 50 CFR Parts 672 and 675

Fisheries, Reporting and recordkeeping requirements.

Dated: July 20, 1993.

Nancy Foster,

Acting Assistant Administrator for Fisheries.

For the reasons set out in the preamble, 50 CFR parts 672 and 675 are amended as follows:

PART 672—GROUNDFISH OF THE GULF OF ALASKA

1. The authority citation for part 672 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 672.2, definitions of *fishing circle, nonpelagic trawl, stretched mesh size,* and *wing tip* are added in alphabetical order, the title *net-sonde device* is revised to read *net-sounder device,* and the definition of *pelagic trawl* is revised to read as follows:

§ 672.2 Definitions.

* * * * *

Fishing circle means the circumference of a trawl intersecting the center point on a fishing line, and that is perpendicular to the long axis of a trawl.

* * * * *

Nonpelagic trawl means a trawl other than a pelagic trawl.

* * * * *

Pelagic trawl means a trawl that:

(1) Has no discs, bobbins, or rollers;

(2) Has no chafe protection gear attached to the foot rope or fishing line;

(3) Except for the small mesh allowed under paragraph (9) of this definition:

(i) Has no mesh tied to the fishing line, head rope, and breast lines with less than 20 inches (50.8 cm) between knots, and has no stretched mesh size of less than 60 inches (152.4 cm) aft from all points on the fishing line, head rope, and breast lines and extending past the fishing circle for a distance equal to or

greater than one-half the vessel's length overall; or

(ii) Has no parallel lines spaced closer than 64 inches (162.6 cm), from all points on the fishing line, head rope, and breast lines and extending aft to a section of mesh, with no stretched mesh size of less than 60 inches (152.4 cm), extending aft for a distance equal to or greater than one-half the vessel's length overall;

(4) Has no stretched mesh size less than 15 inches (38.1 cm) aft of the mesh described in paragraph (3) of this definition for a distance equal to or greater than one-half the vessel's length overall;

(5) Contains no configuration intended to reduce the stretched mesh sizes described in paragraphs (3) and (4) of this definition;

(6) Has no flotation other than floats capable of providing up to 200 pounds (90.7 kg) of buoyancy to accommodate the use of a net-sounder device;

(7) Has no more than one fishing line and one foot rope for a total of no more than two weighted lines on the bottom of the trawl between the wing tip and the fishing circle;

(8) Has no metallic component except for connectors (e.g., hammerlocks or swivels) of net-sounder device aft of the fishing circle and forward of any mesh greater than 5.5 inches (14.0 cm) stretched measure;

(9) May have small mesh within 32 feet (9.8 m) of the center of the head rope as needed for attaching instrumentation (e.g., net-sounder device); and

(10) May have weights on the wing tips.

* * * * *

Stretched mesh size means the distance between opposite knots of a four-sided mesh when opposite knots are pulled tautly to remove slack.

* * * * *

Wing tip means the point where adjacent breast lines intersect or where a breast line intersects with the fishing line.

3. In § 672.7, paragraph (m) is added to read as follows:

§ 672.7 Prohibitions.

* * * * *

(m) Have on board, at any particular time, 20 or more crab of any species that have a width of more than 1.5 inches (38 millimeters) at the widest dimension, and that are caught with trawl gear when directed fishing for groundfish with trawl gear, except for pollock by vessels using pelagic trawl gear, is prohibited under § 672.20(f)(1).

4. In § 672.24, paragraphs (d)(1) introductory text and (d)(2) introductory text are revised and (d)(3) and (d)(4) are added to read as follows:

§ 672.24 Gear limitations.

* * * * *

(d) * * *

(1) No person may trawl in waters of the EEZ within the following areas in the vicinity of Kodiak Island (see Figure 2, Type I Areas) from a vessel having a nonpelagic trawl either attached or on board:

* * * * *

(2) From February 15 to June 15, no person may trawl in the EEZ within the following areas in the vicinity of Kodiak Island (see Figure 2, Type II Areas) from a vessel having a nonpelagic trawl either attached or on board:

* * * * *

(3) Each person trawling in any area limited to pelagic trawling under paragraphs (d)(1) and (d)(2) of this section must maintain, in working order, on that trawl a properly functioning, recording net-sounder device, and must retain all net-sounder recordings aboard the fishing vessel during the fishing year.

(4) No person trawling in any area limited to pelagic trawling under paragraphs (d)(1) and (d)(2) of this section may allow the footrope of that trawl to be in contact with the seabed for more than 10 percent of the period of any tow, as indicated by the net-sounder device.

* * * * *

5. Figures 2 and 3 are removed from part 672 and Figure 4 is redesignated as Figure 2.

PART 675—GROUNDFISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

6. The authority citation for part 675 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

7. In § 675.2, definitions of *fishing circle, nonpelagic trawl, stretched mesh size,* and *wing tip* are added in alphabetical order, and the definition of *pelagic trawl* is revised to read as follows:

§ 675.2 Definitions.

* * * * *

Fishing circle means the circumference of a trawl intersecting the center point on a fishing line, and that is perpendicular to the long axis of a trawl.

* * * * *

Nonpelagic trawl means a trawl other than a pelagic trawl.

* * * * *

Pelagic trawl means a pelagic trawl as defined in § 672.2 of this chapter.

* * * * *

Stretched mesh size means the distance between opposite knots of a four-sided mesh when opposite knots are pulled tautly to remove slack.

* * * * *

Wing tip means the point where adjacent breast lines intersect or where a breast line intersects with the fishing line.

8. In § 675.5, paragraph (c)(2)(i) is revised to read as follows:

§ 675.5 Recordkeeping and reporting.

* * * * *

(c) * * *

(2) * * *

(i) Requirements for processor vessels. The operator of a processor vessel that conducts fishing activity in, or receives groundfish from, any reporting area in the Bering Sea and Aleutian Islands management area at any time during the fishing year must submit weekly production reports. Weekly production reports are required for a processor vessel for any week during the period beginning with the date specified in the check-in notice and ending after all groundfish harvested from and fish products prepared with any groundfish harvested from any Bering Sea and Aleutian Islands reporting area are offloaded. Weekly production reports are required during this period even if no groundfish is harvested or received or processed during a particular week, and these weekly production reports should specify zero amounts harvested, received, or produced.

9. In § 675.7, paragraph (n) is added to read as follows:

§ 675.7 Prohibitions.

* * * * *

(n) Have on board at any particular time 20 or more crab of any species which have a width of more than 1.5 inches (38 millimeters) at the widest dimension, caught with trawl gear when directed fishing for pollock with nonpelagic trawl gear is prohibited under § 675.21(c) or § 675.24(c)(2).

10. Figures 4 and 5 are removed from part 675.

[FR Doc. 93–17607 Filed 7–20–93; 5:05 pm]

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Proposed Rules

Federal Register
Vol. 58, No. 141
Monday, July 26, 1993

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

FARM CREDIT ADMINISTRATION

12 CFR Part 611

RIN 3052-AB22

Organization; Reorganization Authorities for System Institutions

AGENCY: Farm Credit Administration.

ACTION: Resolicitation of comments.

SUMMARY: On March 19, 1993, the Farm Credit Administration (FCA), by the Farm Credit Administration Board (Board), published for public comment proposed amendments to the regulations governing the procedure by which certain Farm Credit System (Farm Credit or System) institutions may terminate their Farm Credit status. The public comment period closed on April 19, 1993. After reviewing the proposal in light of the written comments, the Board has determined that additional comment is needed on several issues. The FCA solicits additional comments on the exit fee calculation and on other provisions of the proposed regulations.

DATES: Comments must be received by August 25, 1993.

ADDRESSES: Comments should be submitted in writing, in triplicate, to Patricia W. DiMuzio, Division Director, Regulation Development Division, Office of Examination, Farm Credit Administration, McLean, Virginia 22102-5090. Copies of all communications received will be available for examination by interested parties in the Regulation Development Division, Farm Credit Administration.

FOR FURTHER INFORMATION CONTACT:

Robert S. Child, Policy Analyst, Office of Examination, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4498, TDD (703) 883-4444,

or

Rebecca S. Orlich, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TDD (703) 883-4444.

SUPPLEMENTARY INFORMATION: On March 19, 1993, the FCA proposed for public comment amendments to the regulations governing the procedure by which certain System institutions may terminate their Farm Credit status (58 FR 15099). The amendments would expand the application of the existing regulations to all System associations, add provisions that would apply to the termination of one or more associations whose assets and direct loan from the affiliated Farm Credit Bank (FCB) constitute a significant proportion of the assets and direct loans in the district, and make technical and conforming revisions. The FCA also proposed for public comment regulations governing the procedure by which FCBs and banks for cooperatives (BCs) may terminate their Farm Credit status. These proposed regulations would implement provisions of several statutory amendments to the Farm Credit Act of 1971 (1971 Act). The Agricultural Credit Act of 1987 (1987 Act), Public Law 100-233, enacted on January 6, 1988, amended the 1971 Act by establishing a procedure under which a Farm Credit institution may terminate its Farm Credit status by becoming chartered as a financial institution under other Federal or State authority. The Food, Agriculture, Conservation and Trade Act Amendments of 1991 (1991 Act), Public Law 102-237, enacted on December 13, 1991, amended the 1971 Act by extending the length of the FCA's review period for the approval of disclosure information relating to terminations and other corporate restructuring. The Farm Credit Banks and Associations Safety and Soundness Act of 1992 (1992 Act), Public Law 102-552, enacted on October 28, 1992, further amended the 1971 Act by adding clarifying provisions for repayments of assistance relating to debt obligations issued by the Farm Credit System Financial Assistance Corporation (FAC). The 1971 Act, as amended, imposes certain conditions on an institution seeking to terminate its status as a Farm Credit institution; authorizes the FCA to impose by regulation such other conditions as the FCA considers appropriate; and requires the FCA to promulgate regulations providing for the repayment of certain System assistance.

The FCA received comments from the Farm Credit Council (FCC) on behalf of its member System institutions, from two FCBs, and from the American Institute of Certified Public Accountants. The FCC's comments included, among other things, a request that the FCA repropose the regulations, and that the supplementary information to such reproposal include a sample exit fee calculation for FCBs and associations terminating alone or together with other institutions in their district. The FCC's stated reasons for reproposing the regulations were the multiplicity of issues raised, the numerous assumptions that had to be made in the development of the FCC's comments, and the apparent lack of urgency in having final regulations in place.

The FCA has carefully considered the request for reproposing the regulations. Some of the comments made by the commenters are simple differences of opinion with the FCA regarding certain proposed provisions. Other comments indicate that there are areas where clarification of language in the proposed regulations would enable the commenters to better understand the FCA's proposals; however, the comments do not indicate misunderstandings so critical as to justify a reproposal of the regulations. Indeed, the numerous assumptions expressed by the FCC in its comments indicate that its interpretation of the intent of the proposed regulations is for the most part accurate. Therefore, the FCA discusses below those significant portions of the proposed regulations that need clarification, and the FCA resolicits comments on these portions.

In addition, the FCA provides examples of how exit fees would be calculated for an association terminating alone, an FCB terminating without any affiliated associations, and an association and an FCB terminating together.

A. Discussion of Comments

1. Section 611.1205(d)

The term "viability" is defined as "the ability to sustain or commence profitable operations exclusive of non-recurring items." A commenter suggested that the definition be revised to provide a more objective standard. The purpose of the viability analysis required in proposed § 611.1275 is to determine whether the institutions remaining in the district of a terminating Large Association could

remain competitive and continue to be profitable after the Large Association terminates. Since the financial projections made in the viability analysis will be a judgment based on the best available information, the FCA does not believe there is a need for a more objective or precise standard set forth in the regulations. If an institution is projected not to be viable due to the termination of a Large Association, the FCA will not automatically reject the application to terminate, but will consider all available information in reaching its decision.

2. Sections 611.1220(e) and 611.1235(a)(1)

Paragraph (e) of § 611.1220 would contain provisions regarding notification to stockholders of the results of the stockholder vote on the proposed termination. A commenter requested clarification of the terms "final vote" and "results of the stockholder vote" in that paragraph, and the term "final results of the stockholder vote" in paragraph (a)(1) of § 611.1235. The vote referred to in each case is the stockholder vote on the proposed termination, not the reconsideration vote.

3. Section 611.1225

Section 611.1225 would set forth requirements for the information statement to be sent to stockholders. A commenter noted that the regulation does not specify how long before the stockholder meeting the stockholders must receive this information. Since institution bylaws may differ on this point, the information would be provided in accordance with the notification requirements for a stockholder meeting in the terminating institution's bylaws.

4. Section 611.1230(e)

Paragraph (e) of § 611.1230 would provide that the plan of termination must include evidence of the agreement and plan for satisfaction of "outstanding debts." A commenter requested clarification that the "outstanding debts" include the payments to the FAC addressed in § 611.1250. It was the FCA's intention that the plan of termination include evidence of the terminating institution's plan for satisfaction of FAC payments.

5. Section 611.1240

Paragraph (a)(3) of § 611.1240 would define the components of "total capital," for purposes of computing the exit fee, as all capital stock, surplus and undivided profits. A commenter asked whether allocated surplus, revolving funds certificates or other written evidences of patronage allocations are included within the definition. The term "total capital" is meant to include all equities, including those cited by the commenter.

Paragraph (e) of this section would provide that, in order to ensure that the exit fee is calculated on a fair and reasonable basis, the FCA may require adjustments to the financial statement of the terminating institution. A commenter requested clarification of the use of the term "value" in reference to the terminating institution's assets and liabilities. As used in this paragraph, "value" is intended to be a fair and reasonable value after adjustments by the FCA.

The commenter also asked for clarification of the phrase "no less stringent than" generally accepted accounting principles (GAAP) in the same sentence. The FCA has re-examined the use of this phrase in the context of the regulation and believes that the phrase "fair and reasonable" would better describe the original intent.

Paragraph (g) of this section, which was not proposed to be changed from existing regulations, would provide that where GAAP requires the recordation on the balance sheet of a liability that will be offset by an unrecorded asset, the transaction recording the liability would be reversed. The intent of such an adjustment was to recognize the potential impact of any tax benefits that may materialize as a result of an institution's termination from the System and to factor such benefits into the calculation of the exit fee. Because such benefits may not have met the criteria for recordation as an asset in the institution's submitted financial statements, the FCA concluded that such adjustments were required in order for the exit fee to be computed on a fair and reasonable basis. The FCA is considering eliminating this provision in the final regulation because these same adjustments would be made under a fair and reasonableness standard, and certain accounting changes make the occurrence of these circumstances unlikely and, therefore, obviate the need for this section.

6. Section 611.1250

Paragraph (a) of this section would state that a terminating institution must provide for payment, or assumption by the successor institution, of all outstanding debt obligations. A commenter asked whether this paragraph is intended to include payment to the FAC addressed in paragraph (e) of this section. This paragraph is intended to include all obligations, including those obligations more specifically described in paragraphs (b) through (e) of this section.

Paragraph (e)(2) of this section would provide that present value estimates required to be made by the FAC would be based on the retail loan volume of the institution as of the quarter end preceding the submission of the termination application. A commenter indicated that the measurement of the retail loan volume at a specific point in time is inappropriate and that the measurement should instead be based on average accruing loan volumes since the debt was incurred. It was the FCA's intention to permit an averaging of loan volumes over a period of time, rather than a measurement at a specific point, but not to permit the inclusion in such averaging of any time periods after the quarter end preceding the submission of the termination application, on the ground that changes in the loan volume that may be due to the termination process should not affect the present value estimate. The commenter also asserted that the regulation ignored the statute's "forward-looking concept" with respect to the present value estimates. This issue is discussed below in connection with the estimates required by proposed § 611.1350(f).

7. Section 611.1255(d)

Paragraph (d) of this section would provide that the amount to be paid to a terminating association in the retirement of equities owned in its affiliated FCB must be equal to the par value of the stock and allocated equities owned by the terminating association, less any impairment, "at the date the request for retirement is made by the terminating association." A commenter stated that an association should not be able to unilaterally consider itself a terminating institution and thereby request retirement of its FCB stock and equities in anticipation of an impairment of the bank's stock. The FCA has re-examined this provision and believes that it should be revised to provide that the value of the stock will be fixed on the computation date, since the value of the stock will affect the amount of the exit fee. The FCA seeks comment on this approach.

8. Section 611.1270

This section pertains to the continuation of borrower rights by the successor institution and would provide that a terminating institution may not require a waiver of applicable borrower rights provisions as a condition of becoming an equityholder in the

successor institution. A commenter asserted that the section was different from the existing regulation, which seemed to apply only to successor institutions that became other financing institutions (OFIs), and was inconsistent with § 611.1210(d)(1), which requires a terminating institution to disclose to a prospective borrower whether the borrower will continue to have statutory or regulatory borrower rights after the institution terminates. Proposed § 611.1270, which differs from the existing regulation only in the order of the sentences, would provide that, with respect to successor institutions that become OFIs, the successor institution may not require a waiver of borrower rights applicable under the 1971 Act and FCA regulations to OFIs, nor may it require a waiver of any contractual borrower rights, as a condition of becoming an equityholder in the successor institution. With respect to successor institutions that are not OFIs, the institution may not require a waiver of any contractual borrower rights as a condition of receiving an equity interest in the successor institution in exchange for its equity interest in the terminating institution; however, the rights granted by the 1971 Act and FCA regulations would no longer apply. The FCA does not see any inconsistency between this section and § 611.1210(d)(1), which requires disclosure of whether the successor institution will continue to give borrowers the rights granted to Farm Credit borrowers by the 1971 Act or regulations, either because the successor institution will be an OFI, or because such rights will be expressly incorporated into the loan contract, or because the institution freely chooses to give those rights to its borrowers.

9. Section 611.1350

Section 611.1350 sets forth requirements for the repayment of obligations by FCBs or BCs, or the assumption of such obligations by the successor institution. A commenter noted that references to Systemwide bonds, Systemwide obligations and consolidated obligations are somewhat confusing. The references to Systemwide bonds were intended to include all debt securities issued on a Systemwide basis, pursuant to section 4.2(d) of the 1971 Act. The FCA intends to clarify this in the final regulations, and also to make clarifications with respect to liability on consolidated obligations. In addition, a commenter noted that individual bank obligations are not addressed in the proposed regulations. It is correct that repayment of a terminating bank's individual obligations are not provided for, although paragraph (e) of this section requires the terminating bank to make an undertaking with respect to interest on individual obligations issued by other FCBs and BCs. The FCA believes that individual bank obligations issued pursuant to section 4.2(b) of the 1971 Act should be required to be repaid or otherwise satisfied by a terminating bank, since other banks operating under the same title are liable for the interest on the obligations. The FCA seeks comment on this issue.

Paragraph (a) of this section would provide that a terminating bank must provide for the payment of all "outstanding System debt obligations, or the assumption of such liability by the successor institution." A commenter asked for clarification of what the term "outstanding System debt obligations" includes. The FCA intended to refer to all obligations of the bank in this provision.

Paragraph (b) of this section gives a terminating bank three options with regard to how a terminating bank may satisfy its primary liability on consolidated and Systemwide obligations. A commenter asked who has approval authority over which of the options (or combination thereof) is chosen by the terminating bank, and suggested that the remaining FCBs and BCs, as well as the FCA, be given approval authority. The FCA, as a part of the approval process, will have approval authority over the terminating bank's proposed treatment of primary liability on consolidated and Systemwide obligations. The FCA is aware of the importance to remaining banks of how the terminating bank satisfies its primary liability and would likely seek the views of remaining banks on this issue. The commenter further suggested that the regulation contain a fourth option, permitting "any other method acceptable to [the] FCA and the remaining System banks, taking into account the market implications of the method selected." The FCA is considering adding such an option, without the requirement that the method must be acceptable to the remaining banks, and solicits comments on this approach from interested parties.

With respect to the option set forth in paragraph (b)(2) of this section, a commenter questioned the meaning of cancellation of obligations, since most Systemwide debt securities have no provision for cancellation. The commenter is correct that the obligations would not, strictly speaking, be canceled. Rather, the Federal Reserve Bank of New York or another Federal Reserve Bank would, when instructed by the Federal Farm Credit Banks Funding Corporation of the purchase by a terminating bank of obligations on which the bank is primarily liable, retire the amount of the purchase which would reduce the total amount of the issue outstanding by the amount of the terminating bank's purchase.

Paragraph (d) of this section sets forth the requirements for an agreement to establish the terminating bank's proportionate share of any subsequent joint and several liability calls, in the event that the terminating bank and the remaining FCBs and BCs are unable to reach agreement among themselves. A commenter requested clarification of the terms "liability computation date" and "computation date" in the second sentence in paragraph (d)(1) of this section. The "liability computation date" is the date described in the first sentence in this paragraph, and the "computation date" is the computation date for the exit fee, as specified in § 611.1240(c) (incorporated by reference into subpart Q by § 611.1340(a)(2)). A commenter asked who would make the determinations in paragraphs (d) (2) and (3). The FCA would make these determinations, which are factual, not discretionary. The commenter also asked for confirmation that the obligations that are the subject of the agreement in this paragraph do not include the obligations on which the terminating bank is primarily liable. This is correct.

Paragraph (f) of this section implements recent statutory amendments requiring a terminating bank to pay certain amounts to the FAC related to the repayment of obligations issued by the FAC. In the proposed regulation, a distinction is made in the bases for present value estimates between the payments that are based on the average accruing retail loan volumes for a 15-year period and payments that are based on accruing retail loan volumes for a 1-year period. For the estimation of future payments based on a 1-year period, the regulation would require the estimate to be based on the retail loan volume for the preceding year; for the estimation of future payments based on a 15-year period, the regulation would require the estimate to be based on the average loan volume during the time period from the year obligations were issued to the year prior to the computation date for the exit fee computation. While no one commented on the distinctions made in the regulation, one commenter did assert that the "notion of forward-looking information contained in the Farm Credit Act is not captured in the proposed regulations * * *." This comment is apparently a reference to

the requirement that estimates of future payments based on a 15-year period be based on the average loan volumes during the years subsequent to the issuance of the FAC obligations, rather than based on more recent information. It was the FCA's intention to require the FAC to take into consideration loan volumes of the past years but not to require that the average of all those years be used to project future loan volumes for the years remaining before the FAC obligations mature. The FCA invites comments on this point. Furthermore, the FCA is considering eliminating the references in paragraph (f) to the time periods on which the estimates are to be based, thereby giving the FAC more flexibility to make an appropriate determination. The FCA also invites comments on this approach.

A commenter asked the FCA to propose a definition of "appropriate discount rate." The FCA did not define this term in the proposed regulations because it does not want to limit the flexibility of the FAC to determine what would be appropriate under the facts and circumstances that may exist when a bank proposes to terminate its Farm Credit status.

B. Examples of Exit Fee Computations

Set forth below are sample exit fees for an association terminating alone, an FCB and an OFI terminating together, and the same association, FCB and OFI terminating together. Adjustments of the assets and capital presented are based on the assumptions that the balance sheets were not adjusted for the expected termination; no liability to the FAC for future payments has been recorded by the institution; and the item described as "Present value of FAC payments" is the estimated present value of future assessments as calculated by the FAC.

Example 1. *Association terminating alone.*

Average daily balance (ADB) of association total assets	$357,990
	(3,703)
Less: Present value of FAC payments tax liability due to anticipated stock retirement	(7,592)
Adjusted ADB	346,695
Six percent of the adjusted ADB of total assets	(20,802)
ADB of total capital	47,203
	(3,703)
Less: Present value of FAC payments tax liability due to anticipated stock retirement	(7,592)
Subtotal	35,908
Less: Six percent of adjusted ADB of total assets	(20,802)
Exit fee	15,106

Example 2. *FCB terminating with an OFI.*

This example is an exit fee for an FCB terminating along with an OFI. The FCA has not provided an exit fee calculation for a FCB terminating alone, because the FCB would have no capital after distribution of allocated and unallocated equities to the remaining associations and OFIs. in the example below, the OFI has stock of $11,084 invested in the FCB and its portion of FCB unallocated surplus is $2,275 for a total of $13,359.

The FCA notes that the supplementary information published with the proposed regulations stated that only those specific assets and capital of affiliated associations remaining in the System that are expected to be paid out or distributed to such associations by the terminating bank are to be deducted from the assets and capital of the terminating bank before the bank's exit fee is computed. However, the language of proposed § 611.1340 may be misinterpreted to require that all of the assets and capital of the associations remaining in the System be deducted from the assets and capital of the terminating FCB. In the example below, assets and capital remaining in the System or that will be paid out to the associations remaining in the System are deducted from the FCB.

ADB of total assets	$3,794,653
Less: ADB of direct loans to associations remaining	(3,217,673)
Present value of FAC payments	(68,220)
Assets equal to investments in FCB held by associations remaining	(210,594)
Assets equal to associations' proportionate share of unallocated equities	(43,228)
Adjusted ADB of total assets	254,938
ADB of total capital	335,401
Less: Present value of FAC payments	(68,220)
Stock and allocated equities held by associations	(210,594)
Associations' proportionate share of unallocated equities	(43,228)
Remaining capital	13,359
Less: Six percent of adjusted ADB of total assets	(15,296)
Exit fee for FCB	0

Example 3. *FCB and OFI terminating with an affiliated association.*

FCB calculation:	
ADB of total assets	3,794,653
Less: ADB of direct loan to associations remaining	(2,926,901)
Assets equal to equities in FCB held by associations remaining	(228,575)
Present value of FAC payments	(68,220)
Total Adjusted Assets of FCB	570,957
Combined assets of FCB and association:	
ADB of total association assets	357,990
Total adjusted assets of the FCB	570,957
Less: Elimination of direct note of terminating association from FCB	(290,772)
Elimination of investment in FCB stock of terminating association	(22,877)
Total adjusted combined assets	615,298
FCB capital calculation:	
ADB of total capital	335,401
Payment from terminating association for FCB's payment to FAC	3,703
Less: Present value of FAC payments	(68,220)
Stock and allocated equities held by associations remaining	(191,614)
Proportionate share of unallocated equities of associations remaining	(36,961)
Total adjusted capital of FCB	42,309
Combined capital calculation:	
ADB of total association capital less FAC payments	43,500
Adjusted capital of FCB	42,309
Elimination of FCB stock held by terminating association	(22,877)
Total combined capital	62,932
Exit fee for FCB (excess over fee charged for association):	
Total combined capital	62,932
Less: Six percent of total adjusted combined assets (retained by terminating institutions)	(36,918)
Excess capital over 6 percent (combined exit fee)	26,014
Less: Association exit fee	(22,243)
Exit fee of the FCB	3,772

In the above example, the exit fee for the association terminating alone is $15,106, but its fee is $22,243 when it terminates together with its affiliated FCB. The difference is due to the assumption that, when the association terminates alone, the tax liability associated with the retirement of its investment in the FCB is realized and

included in the exit fee computation. The association figures used in Example 3 are the same as those in Example 1 except that the estimated tax liability of $7,592 is not deducted from assets or capital of the association. However, it is possible that a tax liability may accrue once the value of the investment in the terminating bank is established. Most such investments result from patronage distributions not previously included in the taxable income of the terminating association. The basis for non-inclusion of such patronage distributions is derived from an Internal Revenue Service Ruling 71–566, 1971–2 C.B. 79, in which the IRS took the position, in part, that such investments did not have a market value and, therefore, did not generate taxable income.

Dated: July 16, 1993.

Curtis M. Anderson,

Secretary, Farm Credit Administration Board.

[FR Doc. 93–17639 Filed 7–23–93; 8:45 am]

BILLING CODE 6705–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 93–NM–64–AD]

Airworthiness Directives; Boeing Model 747–400 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to revise an existing airworthiness directive (AD), applicable to all Boeing Model 747–400 series airplanes, that currently requires revising the FAA-approved Airplane Flight Manual (AFM) to impose an operational limitation that requires the right very high frequency (VHF) radio communication system be operational for dispatch. That action was prompted by the discovery of a single point failure within the audio management unit (AMU) that will disable the transmission functions of both the left and center VHF radios. The actions specified by that AD are intended to prevent loss of all VHF radio voice communication transmission capability. This action would provide an optional terminating action for certain airplanes, which, if accomplished, would eliminate the need for the required AFM limitation; and would limit the applicability of the rule.

DATES: Comments must be received by September 20, 1993.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–64–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Matt Wade, Aerospace Engineer, Systems and Equipment Branch, ANM–130S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2751; fax (206) 227–1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 93–NM–64–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–64–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On December 3, 1991, the FAA issued AD 91–26–05, Amendment 39–8116 (56 FR 65181, December 16, 1991), applicable to all Boeing Model 747–400 series airplanes, to require revising the FAA-approved Airplane Flight Manual (AFM) to impose an operational limitation that requires the right very high frequency (VHF) radio communication system be operational for dispatch. That action was prompted by the discovery of a single point failure within the audio management unit (AMU) that will disable the transmission functions of both the left and center VHF radios. Currently, two radios are required for airplane dispatch; these radios must be designed and installed so that failure of one radio will not preclude operation of the other. The requirements of that AD are intended to prevent loss of all VHF radio voice communication transmission capability.

Since the issuance of that AD, the manufacturer has designed a modification of the AMU that will prevent loss of all VHF radio voice communication transmission capability. The FAA has reviewed and approved Boeing Service Bulletin 747–23–2321, dated May 20, 1993, that describes procedures for replacement of the currently-installed AMU with a modified AMU. The existing AMU was designed with left and right VHF separation. However, the left and center VHF transmit buffer circuits share an integrated circuit chip and power supply. A single failure in this circuitry will disable the transmit function of both the left and center VHF transceivers. The modified AMU has been revised to provide separation between the left and center VHF transmit circuits in order to prevent a single failure from disabling both the left and center VHF transmit functions. Implementation of this modification will positively address the unsafe condition identified as loss of all VHF radio voice communication transmission capability.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would revise AD 91–26–05 to continue to require the addition of a limitation in

the FAA-approved AFM requiring that the right VHF radio communication system be operational for dispatch. Additionally, the proposed AD would provide for replacement of the currently-installed AMU with a modified AMU, as optional terminating action for the requirements of this AD for certain airplanes. If accomplished, such replacement would eliminate the need for the required AFM limitation. The replacement of the AMU would be required to be accomplished in accordance with the service bulletin described previously.

This proposal would also limit the applicability of the rule to exclude airplanes having production numbers RT681 and RT682. These airplanes are not susceptible to the unsafe condition, since they were equipped with the modified AMU during production.

There are approximately 235 Model 747–400 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 28 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $55 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $1,540, or $55 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

Should an operator elect to accomplish the optional terminating action that would be provided by this AD action, the number of work hours required to accomplish it would be approximately 1 per airplane, and the cost of required parts would be approximately $313 per airplane.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–8116 (56 FR 65181, December 16, 1991), and by adding a new airworthiness directive (AD), to read as follows:

Boeing: Docket 93–NM–64–AD. Revises AD 91–26–05, Amendment 39–8116.

Applicability: All Model 747–400 series airplanes, excluding production numbers RT681 and RT682; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

Note 1: Paragraph (a) of this AD restates the requirements of AD 91–26–05, Amendment 39–8116, paragraph (a). As allowed by the phrase, "unless accomplished previously," if the requirements of AD 91–26–05 have been accomplished previously, paragraph (a) of this AD does not require insertion of that Airplane Flight Manual (AFM) limitation to be repeated.

To prevent loss of all very high frequency (VHF) radio voice communication transmission capability, accomplish the following:

(a) Within 14 days after December 30, 1991 (the effective date of AD 91–26–05, amendment 39–8116): Add the following statement to the Limitations Section of the FAA-approved AFM. This may be accomplished by placing a copy of this AD in the AFM.

"ELECTRONIC SYSTEMS—VHF RADIO VOICE COMMUNICATIONS

Right VHF radio (VHF R) communication system must be operational for dispatch."

(b) Replacement of the currently-installed audio management unit (AMU) of the VHF radio communication system having Boeing part numbers S220U000–101, –102, or –104, (Hughes-Avicom part numbers 1167014–140, –141, or –142), with a modified AMU having Boeing part number S220U000–105 (Hughes part number 1167014–143), in accordance with Boeing Service Bulletin 747–23–2321, dated May 20, 1993, constitutes terminating action for the requirements of this AD. Following accomplishment of this replacement, the AFM limitation required by paragraph (a) of this AD may be removed.

(c) As of the effective date of this AD, no AMU having Boeing part numbers S220U000–101, –102, or –104 (Hughes-Avicom part numbers 1167014–140, –141, or –142), shall be installed on any airplane, unless the requirements of paragraph (a) of this AD have been accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on July 20, 1993.

Suzanne E. Stevens,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 93–17651 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–P

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14 CFR Part 39

[Docket No. 93–NM–74–AD]

Airworthiness Directives; Corporate Jets, Limited (formerly British Aerospace), Model BAe 125–800A Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Corporate Jets, Limited, Model BAe 125–800A series airplanes. This proposal would require replacement of the existing forward cabin door retainer catch assembly located in the upper luggage bay shelf with a new, improved forward cabin door retainer catch assembly. This proposal is prompted by reports which indicate that, under certain conditions, the forward cabin door could be forced to the closed position and held closed. The actions

specified by the proposed AD are intended to prevent the forward cabin interior door from closing during takeoff and landing, which could impede or hinder the ability of passengers and crew to exit through the main entrance door during an emergency evacuation.

DATES: Comments must be received by September 20, 1993.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–74–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Corporate Jets, Inc., 22070 Broderick Drive, Sterling, Virginia 20166. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 93–NM–74–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–74–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Corporate Jets, Limited, Model BAe 125–800A series airplanes. The CAA advises that there have been reports which indicate that, under certain conditions, the forward cabin door could be forced to the closed position and held closed. During taxi maneuvers and flight in turbulent air, the crockery drawer located on the right-hand side of the cabin vestibule may spring open. The existing door retainer catch located on the upper luggage bay shelf may not effectively hold the door open against the force exerted by the crockery drawer. With the crockery drawer open, it is not possible to open the forward cabin interior door. This condition, if not corrected, could result in the forward cabin interior door closing during takeoff and landing, which could impede or hinder the ability of passengers and crew to exit through the main entrance door during an emergency evacuation.

Corporate Jets, Limited, has issued Service Bulletin SB.25–68–25A440A, dated August 19, 1992, that describes procedures for accomplishment of Modification No. 25A440A, which entails replacement of the existing forward cabin door retainer catch assembly located in the upper luggage bay shelf with a new, improved forward cabin door retainer catch assembly. The CAA classified this service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require replacement of the existing forward cabin door retainer catch assembly located in the upper luggage bay shelf with a new, improved forward cabin door retainer catch assembly. The actions would be required to be accomplished in accordance with the service bulletin described previously.

The FAA estimates that 5 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $55 per work hour. The cost of required parts is expected to be negligible. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $550, or $110 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "**ADDRESSES.**"

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the

Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Corporate Jets, Limited (Formerly British Aerospace): Docket 93–NM–74–AD.

Applicability: Model BAe 125–800A series airplanes, as listed in Corporate Jets, Limited, Service Bulletin SB.25–68–25A440A, dated August 19, 1992; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent the forward cabin door from closing during takeoff and landing, which could impede or hinder the ability of passengers and crew to exit through the main entrance door during an emergency evacuation, accomplish the following:

(a) Within 180 days after the effective date of this AD, replace the existing forward cabin door retainer catch assembly located in the upper luggage bay shelf with a new, improved forward cabin door retainer catch assembly, Modification No. 25A440A, in accordance with Corporate Jets, Limited, Service Bulletin SB.25–68–25A440A, dated August 19, 1992.

(b) As of the effective date of this AD, no person shall install a catch assembly having part number 25–8DP1695 on any airplane.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on July 20, 1993.

Suzanne E. Stevens,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 93–17652 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 39

[Docket No. 92–NM–154–AD]

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Supplemental notice of proposed rulemaking; reopening of comment period.

SUMMARY: This document revises an earlier proposed airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, that would have required replacement of the bypass valve assemblies in the hydraulic systems 1 and 2 return filters. That proposal was prompted by a report that a loose bypass valve seal of the hydraulic system return filter assembly became jammed and caused increased pressure in the return system, resulting in insufficient clearance in the brake unit and subsequent overheated brakes and blown tires. This action revises the proposed rule by expanding the applicability of the existing rule to include an additional airplane and by adding additional requirements for that airplane. The actions specified by this proposed AD are intended to prevent the occurrence of overheated brakes and blown tires, which would lead to loss of braking performance and may cause the loss of directional control of the airplane while it is on the ground.

DATES: Comments must be received by September 3, 1993.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 92–NM–154–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Timothy J. Dulin, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2141; fax (206) 227–1320.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92–NM–154–AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 92–NM–154–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

A proposal to amend part 39 of the Federal Aviation Regulations to add an airworthiness directive (AD), applicable to certain Fokker Model F28 Mark 0100 series airplanes, was published as a notice of proposed rulemaking (NPRM) in the **Federal Register** on November 25, 1992 (57 FR 55483). That NPRM would have required replacement of the bypass valve assemblies in the hydraulic systems 1 and 2 return filters. That NPRM was prompted by a report that a loose bypass valve seal of the hydraulic system return filter assembly became jammed in the outlet of the filter unit. This blocked the return flow to the hydraulic reservoir, causing increased pressure in the return system during the selection of sub-systems. Consequently, there was insufficient running clearance in the brake unit, resulting in

overheated brakes and blown tires. That condition, if not corrected, could result in the occurrence of overheated brakes and blown tires, which would lead to loss of braking performance and may cause the loss of directional control of the airplane while it is on the ground.

Since issuance of that NPRM, Fokker has issued Revision 2 to Service Bulletin SBF100–29–021, dated December 22, 1992. This revision of the service bulletin adds an airplane to its effectivity listing. For that airplane, Revision 2 describes procedures for removal of the currently installed bypass valve assembly in the hydraulic system 1 return filter and installation of an improved assembly. The Rijksluchtvaartdienst (RLD), which is the airworthiness authority for The Netherlands, classified this revised service bulletin as mandatory.

The FAA has determined that one additional airplane is subject to a loose seal in the hydraulic system 1 return filter, which could result in overheated brakes and blown tires, and subsequent loss of braking performance and may cause the loss of directional control of the airplane while it is on the ground. Therefore, this proposed AD has been revised to require not only the previously proposed replacement of the bypass valve assemblies in the hydraulic systems 1 and 2 return filters on all other affected airplanes, but also the removal of the currently installed bypass valve assembly in the hydraulic system 1 return filter on the one additional airplane and installation of an improved assembly. These actions would be required to be accomplished in accordance with the revised service bulletin described previously.

Since this change expands the scope of the originally proposed rule, the FAA has determined that it is necessary to reopen the comment period to provide additional opportunity for public comment.

For clarification purposes, the wording of this supplemental NPRM that describes procedures for "replacement" of the bypass valve assemblies in the hydraulic systems 1 and 2 return filters has been revised to refer to "removal" of the currently installed bypass valve assemblies in the hydraulic systems 1 and 2 return filters and "installation" of improved assemblies.

The economic analysis paragraph, below, has been revised to include an additional airplane of U.S. registry that would be affected by this proposed AD.

The FAA estimates that 40 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $55 per work hour. Required parts would be supplied by the parts manufacturer at no cost to operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $2,200, or $55 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Fokker: Docket 92–NM–154–AD.

Applicability: Model F28 Mark 0100 series airplanes; serial numbers 11244 through 11363, inclusive, and 11408; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent the occurrence of overheated brakes and blown tires, which would lead to loss of braking performance and may cause the loss of directional control of the airplane while it is on the ground, accomplish the following:

(a) For the airplane having serial number 11408: Within 7 months after the effective date of this AD, remove the hydraulic system 1 return filter, having part number QA05775; and install an improved system 1 return filter, having part number QA07236; in accordance with Fokker Service Bulletin SBF100–29–021, Revision 2, dated December 22, 1992.

(b) For the airplanes having serial number 11244 through 11363, inclusive: Within 7 months after the effective date of this AD, remove the hydraulic systems 1 and 2 return filters, having part numbers QA05775 and QA05777, respectively; and install improved systems 1 and 2 return filters, having part numbers QA07236 and QA07237, respectively; in accordance with Fokker Service Bulletin SBF100–29–021, Revision 1, dated July 3, 1992; or Revision 2, dated December 22, 1992.

(c) As of the effective date of this AD, no person shall install hydraulic systems 1 and 2 return filters, part numbers QA05775 and QA05777, respectively, on any airplane.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on July 20, 1993.

Suzanne E. Stevens,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 93–17653 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–P

14 CFR Part 71

[Airspace Docket No. 93-AGL-7]

Proposed Control Zone and Transition Area Modifications, Dickinson Municipal Airport, Dickinson, ND

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would modify the control zone and transition area at Dickinson Municipal Airport, Dickinson, ND, to accommodate establishment of ILS runway 32, and Nondirectional Beacon (NDB) runway 32 Standard Instrument Approach Procedures (SIAP). The intended effect of this action is to provide segregation of aircraft using instrument approach procedures in instrument conditions from other aircraft operating in visual weather conditions.

DATES: Comments must be received on or before August 23, 1993.

ADDRESSES: Send comments on the proposal in triplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, AGL-7, Rules Docket No. 93-ALG-7, 2300 East Devon Avenue, Des Plaines, Illinois 60018. The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois. An informal docket may also be examined during normal business hours at the Air Traffic Division, System Management Branch, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois.

FOR FURTHER INFORMATION CONTACT: Douglas F. Powers, Air Traffic Division, System Management Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7568.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 93-AGL-7." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, Great Lakes Region, Office of the Assistant Chief Counsel, 2300 East Devon Avenue, Des Plaines, Illinois both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Inquiry Center, APA-220, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3485. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify the control zone and transition area at Dickinson Municipal Airport, Dickinson, ND, to accommodate establishment of ILS runway 32, and NDB runway 32 SIAP. The radius of the control zone remains the same with the addition of a 7-mile extension to the southeast. The radius of the transition area remains the same with the addition of a 14-mile extension to the southeast.

The development of this procedure requires that the FAA alter the designated airspace to ensure that the procedure would be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace.

Aeronautical maps and charts would reflect the defined area which would enable pilots to circumnavigate the area in order to comply with applicable visual flight rule requirements. The coordinates for this airspace docket are based on North American Datum 83. Control zones are published in § 71.171 of FAA Order 7400.7A dated November 2, 1992, and effective November 27, 1992, which is incorporated by reference in 14 CFR 71.1. Transition areas are published in § 71.181 of FAA Order 7400.7A dated November 2, 1992, and effective November 27, 1992, which is incorporated by reference in 14 CFR 71.1. The Control Zone and transition area listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Incorporation by reference, Transition areas.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 17.1 of the Federal Aviation Administration Order 7400.7A, Compilation of Regulations, dated November 2, 1992, and effective November 27, 1992, is amended as follows:

Section 71.171 Designation

* * * * *

AGL ND CZ Dickinson, ND [Revised]

Dickinson Municipal Airport, ND

(lat. 46°47'48" N, long 102°48'00" W)

Within a 4.4-mile radius of Dickinson Municipal Airport; and within 1.4 miles each side of the 150 bearing from the airport extending from the 4.4-mile radius to 7 miles southeast of the airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airport Facility Directory.

* * * * *

Section 71.181 Designation

* * * * *

AGL ND TA Dickinson ND [Revised]

Dickinson Municipal Airport, ND
(lat. 46°47'48" N, long 102°48'00" W)
Dickinson VORTAC (lat. 46°51'36" N, long 102°46'25" W)

That airspace upward from 700 feet above the surface within an 8.3-mile radius of the Dickinson Municipal Airport and within 4 miles each side of the 150° bearing from the airport extending from the 8.3-mile radius to 14 miles southeast of the airport, and that airspace extending upward from 1,200 feet above the surface within a 25.2-mile radius of the Dickinson VORTAC extending clockwise from the Dickinson VORTAC 214 radial to the Dickinson VORTAC 093° radial, excluding that airspace within the Dickinson Municipal Airport, ND, Control Zone.

* * * * *

Issued in Des Plains, Illinois on June 23, 1993.

John P. Cuprisin,

Manager, Air Traffic Division.

[FR Doc. 93–17734 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 93–ANE–19]

Proposed Airspace Update for the New England Region

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would update certain control zones and transition areas in the New England Region. This action is prompted by a review of control zones and transition areas in the New England region for conformity with the requirements of the United States Standard for Terminal Instrument Procedures (TERPS). This action is necessary in order to keep the control zones and transition areas in the New England region operationally current.

DATES: Comments must be received on or before August 24, 1993.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, System Management Branch, Air Traffic Division, New England Region, Docket No. 93–ANE–19, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803–5299.

The docket may be examined in the Office of the Assistant Chief Counsel, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803–5299, weekdays, except Federal holidays, between the hours of 8 a.m. and 4:30 p.m.

FOR FURTHER INFORMATION CONTACT:

Charles M. Taylor, Airspace Specialist, System Management Branch, ANE–530, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803–5299; Telephone: (617) 238–7532; Facsimile: (617) 272–0395.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed under "ADDRESSES". Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 93–ANE–19." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket, FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, Massachusetts, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Office of the Assistant Chief Counsel, ANE–7, Federal Aviation Administration, 12 New England Executive Park, Burlington, MA 01803–5299. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to update certain control zones and transition areas in the New England Region. This action is prompted by a review of control zones and transition areas in the New England region for conformity with the requirements of the United States Standard for Terminal Instrument Procedures (TERPS). That review of control zones and transition areas in the New England region revealed the need to expand the radius of some areas to account for rising terrain in the vicinity of the airport serving those areas, add and delete departure and arrival extensions to conform areas to new updates in IFR approach and departure procedures, decrease the radius of some areas due to published visual departure procedures, make minor editorial changes, and delete one transition area.

The review of the control zones and transition areas in the New England region revealed a need to increase the radius of following areas to account for rising terrain in the vicinity of the airport.

Control Zones

Bridgeport, CT
Danbury, CT
Groton, CT
Hartford, CT
New Haven, CT
Houlton, ME
Presque Isle, ME
Bedford, MA
Beverly, MA
Lawrence, MA
Norwood, MA
Westfield, MA
Concord, NH
Lebanon, NH
Nashua, NH
North Kingston, RI

Transition Areas

Bridgeport, CT
Chester, CT
Danbury, CT
Danielson, CT

Groton, CT
Hartford, CT
Madison, CT
Meriden, CT
New Haven, CT
Oxford, CT
Willimantic, CT
Windsor Locks, CT
Auburn, ME
Bangor, ME
Belfast, ME
Biddeford, ME
Brunswick, ME
Frenchville; ME
Fryeburg, ME
Greenville, ME
Houlton, ME
Lincoln, ME
Machias, ME
Millinocket, ME
Norridgewock, ME
Old Town, ME
Pittsfield, ME
Portland, ME
Presque Isle, ME
Princeton, ME
Rockland, ME
Sanford, ME
Waterville, ME
Boston, MA
Great Barrington, MA
Hopedale, MA
Mansfield, MA
Northampton, MA
Southbridge, MA
Taunton, MA
Westfield, MA
Concord, NH
Keene, NH
Manchester, NH
Nashua, NH
Westerly, RI
Burlington, VT
Lyndonville, VT

In addition, updates to IFR departure and approach procedures at some airports may require additions or allow deletions from the controlled airspace intended to contain aircraft departing from or arriving at those airports under IFR. New or updated IFR approach and departure procedures may require redefinition of the affected control zones or transition areas based on navigation facilities such as non-directional beacon (NDB), very high frequency omni-directional range (VOR), distance measuring equipment (DME), tactical air navigation (TACAN), combination VOR and TACAN facilities (VORTAC), area navigation (RNAV), and instrument landing system (ILS) and associated its associated equipment, outer marker (OM), locator outer marker (LOM), or middle marker (MM). The following control zones and transition areas in the New England Region require updating for this reason in addition to, and in some cases on conjunction with, increases in the area radius due to rising terrain in the vicinity of the associated airports:

Control zone	Reason for update
Windsor Locks, CT	Add extension due to revision of VOR or TACAN Runway (RWY) 15 approach.
Brunswick, ME	Change references to Brunswick Navy VORTAC or Brunswick Navy TACAN in anticipation of the decommissioning of the Brunswick Navy VORTAC.
Presque Isle, ME	Revise description of southeast extension for ILS RWY 1 approach, delete description for northwest extension due to increased radius.
Lebanon, NH	Increase radius due to published departure procedure.
Manchester, NH	Shorten northwest extension due to revision of VOR/DME RWY 17 approach.
Nashua, NH	Increase width of extension for VOR–A approach.
Portsmouth, NH	Delete extensions due to revision of approach procedures.
Beverly, MA	Redefine control zone extension using the Topsfield NDB.
Lawrence, MA	Delete extensions due to updates for the VOR RWY 23 approach.
Westfield, MA	Redefine and increase northeast extension and add southern extension due to published departure procedure and amendment to NDB RWY 20 approach.
Burlington, VT	Delete southeast extension as it is no longer required because of the published departure procedure, and add northwest extension for HI–TACAN RWY 15 approach.
North Kingston, RI	Increase radius for ILS RWY 16, VOR/DME RNAV RWY 34, and VOR–A approaches, and delete separate definition for extension because it lies entirely within the increased radius.
Providence, RI	Redefine control zone extensions to allow for North Kingston, RI Control Zone.
Montpelier, VT	Add departure extension for RWY 23 for the published departure procedure, and add arrival extension for ILS Approach RWY 17.

Transition area	Reason for update
Meriden, CT	Redefine extension due to updates for the VOR RWY 36 approach.
New Haven, CT	Increase radius due to updates for the ILS RWY 2, VOR RWY 2 and VOR–A approaches.
Windsor Locks, CT	Delete separate definitions for extensions that lie entirely within the increased radius, and add extension for revision to Instrument approaches.
Auburn, ME	Redefine extensions due to amendment of ILS and NDB RWY 4 approaches.
Brunswick, ME	Change references to the Brunswick Navy VORTAC to the Brunswick Navy TACAN due to the anticipated decommisioning of the Brunswick Navy VORTAC, and add eastern extension for VOR/DME RWY 25 approach to Wiscasset Airport.
Fryeburg, ME	Increase radius and add northwest extension due to published departure procedure.
Greenville, ME	Add northwest extension due to published departure procedure.
Lincoln, ME	Redefine north extension to contain NDB RWY 17 approach.
Norridgewock, ME	Add north extension for VOR/DME RWY 3 approach.
Presque Isle, ME	Redefine the southeast extension for ILS RWY 1.
Rangeley, ME	Increase extension due to update to NDB–A approach.
Sanford, ME	Add southwest extension and redefine northeast extension due to ILS RWY 7 approach.
Fall River, MA	Delete the northeast extension due to updates for the NDB RWY 24 approach.
Falmouth, MA	Updates description due to anticipated decommissioning of Hyannis VORTAC and cancellation of VOR–A Approach at Chatham Airport.
Marshfield, MA	Delete extension due to amendment of NDB RWY 6 approach.
Palmer, MA	Updates extension due to amendment of NDB RWY 4 approach.
Pittsfield, MA	Reduce radius due to published departure procedure.
Provincetown, MA	Add northeast extension and increase size of southwest extension due to updates for ILS RWY 7, NDB RWY 25, and NDB–A approaches.

Transition area	Reason for update
Taunton, MA	Delete extension due to cancellation of VOR–A approach.
Laconia, NH	Reduce radius, and add extension, due to published departure procedure.
Portsmouth, NH	Increase transition area to the north and south to contain procedure for Tyco Heliport, Hampton Heliport, and Skyhaven Airport.
Whitefield, NH	Reduce radius due to published departure procedure.
Block Island, RI	Redefine extensions due to updates for the VOR RWY 28, NDB RWY 10, and VOR/DME RWY 10 approaches.
Newport, RI	Add extensions due to updates for the VOR RWY 16 and LOC RWY 22 approaches.
North Kingstown, RI	Redefine extensions due to updates for the ILS RWY 16, VOR/DME RNAV RWY 34, and VOR–A approaches.
Pawtucket, RI	Redefine extensions due to updates for the VOR–B approach.
Providence, RI	Redefine extensions due to updates for the ILS RWY 5R and VOR/DME RWY 34 approaches
Bennington, VT	Reduce radius to encompass only the arrival procedure due to published visual departure procedure.
Morrisville, VT	Reduce radius due to published visual departure procedure.
Springfield, VT	Reduce radius due to published visual departure procedure.

The FAA also proposes changes to the descriptions of the following control zones and transition areas.

Control zone	Reason for update
Augusta, ME	Revise description to specify lower vertical limit and unlimited upper vertical limit.
Bangor, ME	Delete control zone due to establishment of Bangor Airport Radar Service Area.
Montpelier, VT	Delete exclusion for Carrier Skypark Airport.

Transition area	Reason for update
Fitchburg, MA	Delete area because it lies completely within the Keene, NH, Boston, MA and Fort Devens, MA transition areas.
Springfield/Chicopee, MA	Add exclusion for Westfield, MA control zone.
Provincetown, MA	Change latitude and longitude coordinates for Racepoint NDB (RZP) due to relocation of the NDB.
Berlin, NH	Revise description of extension to run from the 8.2 mile radius.
Burlington, VT	Revise description of procedure turn area in terms of bearing and distance.
Montpelier, VT	Delete exclusion for Montpelier, VT control zone.

These actions are necessary to keep control zones and transition areas in the New England region operationally current. The coordinates for this airspace docket are based on North American Datum (NAD) 83. Control zones and transition areas are published in FAA Order 7400.7A, dated November 2, 1992, and effective November 27, 1992, which is incorporated by reference in 14 CFR 71.1. Control zones appear in Section 71.171, and transition areas, Section 71.181. The control zones and transition listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small business entities under the criteria of the Regulator Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation Safety, Control zones, Incorporation by reference, Transition areas.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.7A, Compilation of Regulations, dated November 2, 1992, and effective November 27, 1992, is amended as follows:

Section 71.171 Control Zones

* * * * *

ANE CT CZ Bridgeport, CT [Revised]

Bridgeport, Igor I. Sikorsky Memorial Airport, CT
(lat. 41°09'48" N, long. 73°07'34" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5–mile radius of the Igor I. Sikorsky Memorial Airport from the Sikorsky Airport 360° bearing clockwise to the Sikorsky Airport 260° bearing and within a 6.5-mile radius from the Sikorsky Airport 260° bearing clockwise to the Sikorsky Airport 360° bearing. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE CT CZ Danbury, CT [Revised]

Danbury Municipal Airport, CT
(lat. 41°22'17" N, long. 73°28'56" W)

That airspace extending upward from the surface to and including 3,000 feet MSL within a 6.5-mile radius of Danbury Municipal Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE CT CZ Croton, CT [Revised]

Croton-New London Airport, CT
(lat. 41°19'48" N, long. 72°02'42" W)
Fisher's Island, Elizabeth Field, NY
(lat. 41°15'07" N, long. 72°01'54" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of the Groton-New London Airport; that airspace within a 1-mile radius of the Fisher's Island, Elizabeth Field. This control zone is effective during specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE CT CZ Hartford, CT [Revised]

Hartford-Brtainard Airport, Hartford, CT
(lat. 41°44'10" N, long. 72°39'00" W)
Rentschler Airport, East Hartford, Ct
(lat. 41°45'15" N, long. 72°37'28" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.5-mile radius of the Hartford-Brainard Airport, and within a 6.9-mile radius of the Rentschler Airport from the Rentschler Airport 055° bearing clockwise to the Rentschler Airport 170° bearing clockwise to the Rentschler Airport 055° bearing; excluding that airspace within the Windsor Locks, CT Airport Radar Service Area. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE CT CZ New Haven, CT [Revised]

New Haven, Tweed-New Haven Airport, CT
(lat. 41°15'49" N, long. 72°53'12" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 5-mile radius of the Tweed-New Haven Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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ANE CT CZ Windsor Locks, CT [Revised]

Windsor Locks, Bradley International, CT
(lat. 41°56'20" N, long. 72°40'59" W)
Bradley VORTAC
(lat. 41°56'27" N, long. 72°41'19" W)
Simsbury Airport, CT
(lat. 41°55'00" N, long. 72°46'38" W)
Skylark Airpark, CT
(lat. 41°55'45" N, long. 72°34'28" W)
Bancroft Airport, CT
(lat. 41°42'00" N, long. 72°36'58" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of Bradley International Airport; and within 2.2 miles on each side of the Bradley VORTAC 314° radial extending from the 5-mile radius to 6.4 miles northwest of the Bradley VORTAC, and within 2.2 miles on each side of the Bradley VORTAC 218° radial extending from the 5-mile radius to 5.0 miles southwest of the Bradley VORTAC; excluding that airspace within a 1-mile radius of Simsbury Airport, and that airspace within a 1-mile radius of Skylark Airpark, and that airspace within a 1-mile radius of Bancroft Airport.

ANE ME CZ Augusta, ME [Revised]

Augusta State Airport, ME
(lat. 44°19'14" N, long. 69°47'50" W)
Dunns LOM
(lat. 44°24'39" N, long. 69°51'39" W)
Augusta VORTAC
(lat. 44°19'12" N, long. 69°47'48" W)

That airspace extending upward from the surface within a 4.1-mile radius of Augusta State Airport, and within 3.5 miles on each side of the Augusta State Airport 333° bearing extending from the 4.1-mile radius to 10 miles northwest of the Dunns LOM, and within 2.5 miles on each side of the Augusta State Airport 156° bearing extending from the 4.1-mile radius to 7 miles southeast of the Augusta VORTAC.

ANE ME CZ Bangor, ME [Revised]

Bangor International Airport, ME
(lat. 44°48'27" N, long. 58°49'41" W)
Bangor VORTAC
(lat. 44°50'30" N, long. 58°42'26" W)
Lucky Landing Marina And Sea Plane Base
(lat. 44°54'25" N, long. 58°48'18" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of Bangor International Airport, and within 1.5 miles on each side of the Bangor VORTAC 135° radial extending from the 5-mile radius to 9.4 miles southeast of the Bangor VORTAC, and within 3.1 miles on each side of the Bangor VORTAC 318° radial extending from the 5-mile radius to 7.2 miles northwest of the Bangor VORTAC; excluding that airspace within a 1.5-mile radius of the Lucky Landing Marina and Sea Plane Base.

ANE ME CZ Brunswick, ME [Revised]

Brunswick NAS, ME
(lat. 43°43'32" N, long. 59°56'19" W)
Brunswick Navy TACAN
(lat. 43°54'09" N, long. 69°56'43" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.3-mile radius of Brunswick NAS, and within 1.8 miles on each side of the Brunswick Navy TACAN 166° radial extending from the 4.3-mile radius to 7 miles southeast of the Brunswick Navy TACAN and within 1.8 miles on each side of the Brunswick Navy TACAN 015° radial extending from the 4.3-miles radius to 8.6 miles northeast of the Brunswick Navy TACAN.

ANE ME CZ Houlton, ME [Revised]

Houlton International Airport, ME
(lat. 46°07'25" N, long. 67°47'32" W)

That airspace extending upward from the surface within a 6.5-mile radius of Houlton International Airport excluding the airspace outside of the United States.

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ANE ME CZ Presque, Isle, ME [Revised]

Northern Maine Regional Airport at Presque Isle, ME
(lat. 46°41'20" N, long. 68°02'41" W)
EXCAL LOM
(lat. 46°36'37" N, long. 68°01'08" W)
Rogers Airport
(lat. 46°37'30" N, long. 67°56'10" W)

That airspace extending upward from the surface within a 6.8-mile radius of Northern Maine Regional Airport at Presque Isle, and within 2.5 miles on each side of the Northern Maine Regional Airport at Presque Isle 165° bearing extending from the 6.8-mile radius to 8.2 miles southeast of the EXCAL LOM; excluding that airspace within a 1-mile radius of the Rogers Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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ANE ME CZ Bedford, MA [Revised]

Bedford, Laurence G. Hanscom Field, MA
(lat. 42°28'12" N, long. 71°17'20" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 5.2-mile radius of Laurence G. Hanscom Field, excluding that airspace within the Boston, MA Terminal Control Area. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE ME CZ Beverly, MA [Revised]

Bevery Municipal Airport, MA
(lat. 42°35'03" N, long. 70°55'01" W)
Topsfield NDB
(lat. 42°37'10" N, long. 70°57'25" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.5-mile radius or Beverly Municipal Airport; and that airspace extending upward from the surface within 3.2 miles on each side of the Topsfield NDB 317° bearing, extending from the 4.5-mile radius to 7 miles northwest of the Topsfield NDB; excluding that airspace within the Boston, MA Terminal Control Area, and that airspace within the Lawrence, MA Control Zone during the specific dates and times it is effective. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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ANE MA CZ Lawrence, MA [Revised]

Lawrence Municipal Airport, MA
(lat. 42°43'02" N, long 71°07'24" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 5-mile radius of the Lawrence Municipal Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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ANE MA CZ Norwood, MA [Revised]

Norwood Memorial Airport, MA
(lat. 42°11'27" N, long. 71°10'23" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 6-mile radius of the Norwood Memorial Airport, excluding that airspace of

the Boston, MA Terminal Control Area. This control zone is effective during the specific dates and times established in advance by a Notice to Airman (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

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ANE MA CZ Westfield, MA [Revised]

Westfield, Barnes Municipal Airport, MA
(lat. 42°09'28" N, long. 72°42'56" W)

That airspace extending from the surface to an including 2,800 feet MSL within at 4.3-mile radius of Barnes Municipal Airport from the Barnes Municipal Airport 341° bearing clockwise to the Barnes Municipal Airport 288° bearing, and within 7.5 mile radius from the Barnes Municipal Airport 288° bearing clockwise to the Barnes Municipal Airport 341° bearing, and within 1.6 miles on each side of the Barnes Municipal Airport 009° bearing extending from, the 4.3-mile radius to 4.9 miles north of the Barnes Municipal Airport, and within 2.5 miles on each side of the Barnes Municipal Airport 175° bearing extending from the 4.3-mile radius to 5.8 miles south of the Barnes Municipal Airport; excluding that airspace within the Springfield/Chicopee, MA Control Zone during the dates and times it is effective, and that airspace within the Windsor Locks, CT Airport Radar Service Area. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be published in the Airport/Facility Directory.

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ANE NH CZ Concord, NH [Revised]

Concord Municipal Airport, NH
(lat. 43°12'12" N, long. 71°30'07+6' W)
Concord VOTAC
(lat 43°13'11" N, long. 71°34'32" W)

That airspace extending upward from the surface within a 7.7-mile radius of Concord Municipal Airport, and within 2.4 miles on each side of the Concord VORTAC 300° radial extending from the 7.7-mile radius to 7 miles northwest of the Concord VORTAC.

ANE NH CZ Lebanon, NH [Revised]

Lebanon Municipal Airport, NH
(lat. 43°37'35" N, long. 72°18'15" W)
BURGR OM
(lat. 43°43'57" N, long. 72°20'00" W)
Hanover NDB
(lat. 43°42'08" N, 72°10'39" W)

That airspace extending upward from the surface to and including 3,100 feet MSL within a 6.7-mile radius of Lebanon Municipal Airport; and that airspace extending upward from the surface within 3.3 miles on each side of the BURGR OM 352° bearing extending from the 6.7-mile radius to 8 miles north of the BURGR OM, and within 2.4 miles on each side of the Hanover NDB 051° bearing extending from the 6.7-mile radius to 7 miles northeast of Hanover NDB.

ANE NH CZ Manchester, NH [Revised]

Manchester Airport, NH
(lat. 42°56'00" N, long, 71°26'16" W)
Manchester VORTAC
(lat. 42°52'07" N, long. 71°22'10" W)

That airspace extending upward from the surface to and including 4,300 feet MSL within a 5-mile radius of the Manchester Airport, and within 1.1 miles on each side of the Manchester VORTAC 325° radial extending from the 5-mile radius to 5.6 miles northewest of the Manchester Airport. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE NH CZ Nashua, NH [Revised]

Nashua, Boire Field, NH
(lat. 42°46'54" N, long. 71°30'53" W)
CHERN NDB
(lat. 42°49'24" N, long. 71°36'08" W)
Manchester VORTAC
(lat. 42°52'06" N, long. 71°22'10" W)
Lawrence VOR/DME
(lat. 42°44'25" N, long. 71°05'41" W)
Pepperell Airport
(lat. 42°41'45" N, long. 71°33'03" W)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 6-mile radius of Boire Field, and that airspace extending upward from the surface within 1.1 miles on each side of the Manchester VORTAC 231° radial extending from the 6-mile radius to 1.3 miles southwest of the Manchester VORTAC, and within 3.7 miles on each side of the Lawrence VOR/DME 277° radial extending from the 6-mile radius to 6.9 miles east of Boire Field, and within 2.6 miles on each side of the CHERN NDB 303° bearing extending from the 6-mile radius to 7 miles northwest of the CHERN NDB; excluding that airspace within a 2-mile radius of Pepperell Airport, and that airspace within the Manchester NH Airport Radar Service Area, and that airspace within the Manchester, NH Control Zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE NH CZ Portsmouth, NH [Revised]

Portsmouth, Pease International Tradeport, NH
(lat. 43°04'40" N, long. 70°49'24" W)
Eliot, Littlebrook Air Park, ME
(lat. 43°08'35" N, long. 70°46'20" W)

That airspace extending upward from the surface to and including 2,600 feet MSL within a 4.5-mile radius of the Pease International Tradeport, excluding that airspace within a 1.5-mile radius of the Littlebrook Air Park.

ANE RI CZ North Kingston, RI [Revised]

North Kingston, Quonset State Airport, RI
(lat. 41°35'48" N, long. 71°24'43" W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 5.3-mile radius of Quonset State Airport; excluding that airspace within the Providence, RI Airport Radar Service Area. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen (NOTAM). The effective dates and times will thereafter be continuously published in the Airport/Facility Directory.

ANE RI CZ Providence, RI [Revised]

Providence, Theodore Francis Green State Airport, RI
(lat. 41°43'30" N, long. 71°25'40" W)
Providence VORTAC
(lat. 41°43'28" N, long. 71°25'47" W)

That airspace extending upward from the surface to and including 4,100 feet MSL within a 5-mile radius of Providence, Theodore Francis Green State Airport, and within 3.3 miles on each side of the Providence VORTAC 132° radial extending from the 5-mile radius to 8.4 miles southeast of the Providence VORTAC, and within 3.8 miles on each side of the Theodore Francis Green State Airport 211° bearing extending from the 5-mile radius to 15 miles southwest of the Theodore Francis Green State Airport; excluding that airspace within the North Kingston, RI Control Zone during the specific dates and times it is effective.

ANE VT CZ Burlington, VT [Revised]

Burlington International Airport, VT
(lat. 44°28'17" N, long. 73°09'10" W)
Burlington VORTAC
(lat. 44°23'50" N, long. 73°10'57" W)

That airspace extending upward from the surface to and including 4,400 feet MSL within a 5-mile radius of the Burlington International Airport, and that airspace extending upward from the surface within 2.4 miles on each side of the Burlington VORTAC 201° radial extending from the 5-mile radius to 7 miles southwest of the Burlington VORTAC, and that airspace extending upward from the surface within 1.8 miles on each side of the Burlington International Airport 302° bearing extending from the 5-mile radius to 5.4 miles northwest of the Burlington International Airport excluding that airspace within a 1-mile radius of the Bostwick Farm Airport.

ANE VT CZ Montpelier, VT [Revised]

Barre-Montpelier, Edward F. Knapp State Airport, VT
(lat. 44°12'12" N, long. 72°33'44" W)
Mount Mansfield, VT NDB
(lat. 44°23'12" N, long. 72°41'37" W)

That airspace extending upward from the surface within a 4.1-mile radius of Edward F. Knapp State Airport, and within 2.8 miles on each side of the Edward F. Knapp State Airport 159° bearing extending from the 4.1-mile radius to 13.7 miles southeast of the airport, and within 1.8-miles on each side of the Edward F. Knapp State Airport 212° bearing extending from the 4.1-mile radius to 7.0 miles southwest of the Edward F. Knapp State Airport, and within 1 mile on each side of the Mount Mansfield NDB 152° bearing extending from the 4.1-mile radius to the 6.6 miles southeast of the Mount Mansfield NDB.

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Section 71.181 Transition Areas

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ANE CT TA Bridgeport, CT [Revised]

Bridgeport, Igor I. Sikorsky Memorial Airport, CT

(lat. 41°09'48" N, long. 73°07'34" W)
Stratford, Sikorsky Heliport, CT
(lat. 41°14'57" N, long. 73°05'48" W)
Bridgeport VOR
(lat. 41°09'39" N, long. 73°07'28" W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius for the Igor I. Sikorsky Memorial Airport from the Sikorsky Airport 245° bearing clockwise to the Sikorsky Airport 070° bearing, and within a 6.5-mile radius from the Sikorsky Airport 070° bearing clockwise to the Sikorsky Airport 245° bearing, and within 4 miles on each side of the Bridgeport VOR 041° radial extending from the 10-mile radius to 14.8 miles northeast of Bridgeport VOR, and within a 8.5-mile radius of the Sikorsky Heliport; excluding the airspace within the Bridgeport, CT, Stratford, CT, and New Haven, CT, Control Zones during the specific dates and times they are effective.

ANE CT TA Chester, CT [Revised]

Chester Airport, CT
(lat. 41°23'02" N, long. 72°30'21" W)

That airspace extending upward from 700 feet above the surface within a 9.3-mile radius of Chester Airport, and within 4 miles west and 5.4 miles east of the Chester Airport 339° bearing extending from the 9.3-mile radius to 17.3 miles northwest of Chester Airport; excluding that airspace within the Hartford, CT Control Zone during the specific dates and times it is effective.

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ANE CT TA Danbury, CT [Revised]

Danbury Municipal Airport, CT
(lat. 41°22'17" N, long 73°28'56" W)
Carmel VORTAC
(lat. 41°16'48" N, long. 73°34'53" W)

That airspace extending upward from 700 feet above the surface within a 11.5-mile radius of Danbury Municipal Airport from the Danbury Airport 320° bearing clockwise to the Danbury Airport 010° bearing, and within a 9-mile radius from the Danbury Airport 010° bearing clockwise to the Danbury Airport 320° bearing, and within 3 miles on each side of the Carmel VORTAC 218° radial extending from the 9-mile radius to 10 miles southwest of the Carmel VORTAC; excluding that airspace within the White Plains, NY, Control Zone, and that airspace within the White Plains, NY, and Poughkeepsie, NY, Transition Areas, and that airspace within the Danbury Municipal Airport, CT Control Zone during the specific dates and times it is effective.

ANE CT TA Danielson, CT [Revised]

Danielson Airport, CT
(lat. 41°49'11" N, long. 71°54'03" W)

That airspace extending upward from 700 feet above the surface within a 8.1-mile radius of Danielson Airport.

ANE CT TA Groton, CT [Revised]

Groton-New London Airport, CT
(lat. 41°19'48" N, long. 72°02'42" W)
Groton VOR
(lat. 41°19'49" N, long. 72°03'07" W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Groton-New London Airport, and within 1.3 miles on each side of the Groton VOR 048° radial extending from the 7.5-mile radius to 15.6 miles northeast of the GROTON VOR; excluding that airspace within the Groton, CT Control Zone during the specific dates and times it is effective, and that airspace within the Westerly, RI Transition Area.

ANE CT TA Hartford, CT [Revised]

Hartford-Brainard, Airport, CT
(lat. 41°44'10" N, long. 72°39'00" W)
East Hartford, Rentschler Airport, CT
(lat. 41°45'15" N, long. 72°37'28" W)

That airspace extending upward from 700 feet above the surface within a 11.5-mile radius of Hartford-Brainard Airport, and within a 11.9-mile radius of the Rentschler Airport; excluding that airspace within the Windsor Locks, CT Airport Radar Service Area, and that airspace within the Windsor Locks, CT, and Chester, CT, Transition Areas, and that airspace within the Hartford, CT Control Zone during the specific dates and times it is effective.

ANE CT TA Madison, CT [Revised]

Madison, Griswold Airport, CT
(lat. 41°16'16" N, long. 72°32'59" W)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of Griswold Airport from the Griswold Airport 260° bearing clockwise to the Griswold Airport 090° bearing, and within a 6.2-mile radius from the Griswold Airport 090° bearing clockwise to the 260° bearing; excluding that airspace within the Chester, CT Transition Area.

ANE CT TA Meriden, CT [Revised]

Meriden Markham Municipal Airport, CT
(lat. 41°30'31" N, long. 72°49'46" W)
Madison VOR/DME
(lat. 41°18'50" N, long. 72°41'32" W)

That airspace extending upward from 700 feet above the surface within a 10.8-mile radius of Meriden Markham Municipal Airport, and within 4 miles on each side of the Madison VOR/DME 332° radial extending from the 10.8-mile radius to 0.6 miles northwest of the Madison VOR/DME; excluding that airspace within the New Haven, CT Control Zone during the specific dates and times it is effective, and that airspace within the Bridgeport, CT, Madison, CT, Chester, CT, and Hartford, CT, Transition Areas.

ANE CT TA New Haven, CT [Revised]

New Haven, Tweed-New Haven Airport, CT
(lat. 41°15'49" N, long. 72°53'12" W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Tweed-New Haven Airport; excluding that airspace within the Bridgeport, CT, Meriden, CT, Chester, CT, and Madison, CT, Transition Areas, and that airspace within the New Haven, CT, Bridgeport, CT, Sikorsky, CT, Control Zones during the specific dates and times they are effective.

ANE CT TA Oxford, CT [Revised]

Waterbury-Oxford Airport, CT
(lat. 41°28'46" N, long. 73°08'07" W)
Waterbury NDB
(lat. 41°31'45" N, long. 73°08'38" W)

That airspace extending upward from 700 feet above the surface within a 8-mile radius of Waterbury-Oxford Airport; and within 3.8 miles on each side of the Waterbury NDB 354° bearing extending from the 8-mile radius to 9.4 miles northwest of the Waterbury NDB; excluding that airspace within the Meriden, CT, New Haven, CT, and Bridgeport, CT, Transition Areas.

ANE CT TA Willimantic, CT [Revised]

Willimantic, Windham Airport, CT
(lat. 41°44'38" N, long. 72°10'49" W)
Norwich VORTAC
(lat. 41°33'23" N, long. 71°59'58" W)

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Windham Airport, and within 3.7 miles on each side of the Norwich VORTAC 323° radial extending from the 10.5-mile radius to 12.9 miles southeast of the Windham Airport, and within 3.9 miles south and 5.2 miles north of the Windham Airport 074° bearing extending from the 10.5-mile radius to 15.7 miles east of Windham Airport; excluding that airspace within the Danielson, CT, and Hartford, CT, Transition Areas.

ANE CT TA Windsor Locks, CT [Revised]

Windsor Locks, Bradley International Airport, CT
(lat. 41°56'20" N, long. 72°40'59" W)
Bradley VORTAC
(lat. 41°56'27" N, long. 72°41'19" W)

That airspace extending upward from 700 feet above the surface within a 10.9-mile radius of Bradley International Airport, and within 3.1 miles on each side of the Bradley Airport 044° bearing extending from the 10.9-mile radius to 11.7 miles northeast of the Bradley Airport; excluding that airspace within the Hartford, CT, Westfield, MA, and Springfield/Chicopee, MA, Control Zones, during the specific dates and times they are effective, and that airspace within the Windsor Locks, CT Airport Radar Service Area.

ANE ME TA Auburn, ME [Revised]

Auburn/Lewiston Municipal Airport, ME
(lat. 44°02'54" N, long. 70°17'00" W)
LEWIE LOM
(lat. 43°57'50" N, long. 70°20'08" W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Auburn/Lewiston Municipal Airport, and within 3.9 miles on each side of the LEWIE LOM 203° bearing extending from the 7.5-mile radius to 8.2 miles southwest of the LEWIE LOM.

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ANE ME TA Bangor, ME [Revised]

Bangor International Airport, ME
(lat. 44°48'27" N, long. 68°49'41" W)
Bangor VORTAC
(lat. 44°50'30" N, long. 68°52'26" W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Bangor International Airport, and that airspace within 6.5 miles south and 4 miles north of the Bangor International Airport 136° bearing extending from the 10-mile radius to 16.7 miles southeast of the Bangor

International Airport, and that airspace within 3.7 miles on each side of the Bangor VORTAC 318° radial extending from the 10-mile radius to 8.8 miles northwest of the Bangor VORTAC; excluding that airspace within the Bangor, ME Control Zone.

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ANE ME TA Belfast, ME [Revised]

Belfast Municipal Airport, ME
(lat. 44°24'35" N, long. 69°00'44" W)
Belfast NDB
(lat. 44°24'40" N, long. 69°00'39" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Belfast Municipal Airport from the Belfast Airport 050° bearing clockwise to the Belfast Airport 180° bearing, and that airspace within 9.4-mile radius from the Belfast Airport 180° bearing clockwise to the Belfast Airport 050° bearing, and that airspace within 3 miles on each side of the Belfast NDB 306° bearing extending from the 9.4-mile radius to 15.4 miles northwest of the Belfast NDB.

ANE ME TA Biddeford, ME [Revised]

Biddeford Municipal Airport, ME
(lat. 43°27'51" N, long. 70°28'21" W)

That airspace extending upward from 700 feet above the surface within a 7.8-mile radius of Biddeford Municipal Airport, excluding that airspace within the Kennebunkport, ME Transition Area.

ANE ME TA Brunswick, ME [Revised]

Brunswick NAS, ME
(lat. 43°53'32" N, long. 69°56'19" W)
Brunswick Navy TACAN
(lat. 43°54'09" N, long. 69°56'43" W)
Wiscasset Airport, ME
(lat. 43°57'40" N, long. 69°42'48" W)
Wiscasset NDB
(lat. 43°58'57" N, long. 69°38'25" W)

That airspace extending upward from 700 feet above the surface within a 7.8-mile radius of Brunswick NAS, and within 1.8 miles on each side of the Brunswick Navy TACAN 166° radial extending from the 7.8-mile radius to 10.4 miles south of the Brunswick Navy TACAN, and within a 8.4-mile radius of Wiscasset Airport, and within 4 miles south and 6 miles north of the Navy Brunswick TACAN 070° radial extending from the 8.4-mile radius to 25.5 miles east of the Navy Brunswick TACAN.

ANE ME TA Frenchville, ME [Revised]

Frenchville, Northern Aroostook Regional Airport, ME
(lat. 47°17'08" N, long. 68°18'46" W)
Frenchville NDB
(lat. 47°16'05" N, long. 68°15'24" W)

That airspace extending upward from 700 feet above the surface within a 8.9-mile radius of Northern Aroostook Regional Airport, and that airspace within 4.0 miles on each side of the Frenchville NDB 113° bearing extending from the 8.9-mile radius to 9.8 miles southeast of Frenchville NDB; excluding that airspace outside of the United States.

ANE ME TA Fryeburg, ME [Revised]

Fryeburg, Eastern Slopes Regional Airport, ME
(lat. 43°59'26" N, long. 70°56'49" W)
Sebago NDB
(lat. 43°54'16" N, long. 70°46'56" W)

That airspace extending upward from 700 feet above the surface within a 2.3-mile radius of Eastern Slopes Regional Airport from the Eastern Slopes Airport 126° bearing clockwise to the Eastern Slopes Airport 323° bearing, and that airspace within a 10.3-mile radius of Eastern Slopes Regional Airport from the Eastern Slopes Airport 323° bearing clockwise to the Eastern Slopes Regional Airport 126° bearing, and that airspace within 2 miles on each side of the Sebago NDB 306° bearing extending from 2.3-mile radius to the Sebago NDB.

ANE ME TA Greenville, ME [Revised]

Greenville Municipal Airport, ME
(lat. 45°27'45" N, long. 69°33'02" W)
Squaw NDB
(lat. 45°31'18" N, long. 69°40'28" W)

That airspace extending upward from 700 feet above the surface within a 9.4-mile radius of Greenville Municipal Airport from the Greenville Airport 345° bearing clockwise to the Greenville Airport 315° bearing, and within a 11.5-mile radius of Greenville Municipal Airport from the Greenville Airport 315° bearing clockwise to the Greenville Airport 345° bearing, and within 3 miles on each side of the Squaw NDB 305° bearing extending from the 9.4-mile radius to 9.7 miles northwest of the Squaw NDB.

ANE ME TA Houlton, ME [Revised]

Houlton International Airport, ME
(lat. 46°07'25" N, long. 67°47'32" W)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Houlton International Airport excluding that airspace outside of the United States.

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ANE ME TA Lincoln, ME [Revised]

Lincoln Regional Airport, ME
(lat. 45°21'44" N, long. 68°32'05" W)
Lincoln NDB
(lat. 45°21'23" W, long. 68°32'13" W)

That airspace extending upward from 700 feet above the surface within a 10.3-mile radius of Lincoln Regional Airport, and within 4 miles west and 8 miles east of the Lincoln NDB 342° bearing extending from 10.3-mile radius to 16 miles northwest of the Lincoln NDB.

ANE ME TA Machias, ME [Revised]

Machias Valley Airport, ME
(lat. 44°42'11" N, long. 67°28'41" W)
Machias NDB
(lat. 44°42'16" N, long. 67°28'42" W)

That airspace extending upward from 700 feet above the surfac ewithin a 8.3-mile radius of Machias Valley Airport.

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ANE ME TA Millinocket, ME [Revised]

Millinocket Muncipal Airport, ME
(lat. 45°38'52" N, long. 68°41'08" W)

That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Millinocket Municipal Airport, excluding that airspace within the Lincoln, ME Transition Area.

ANE ME TA Norridgewock, ME [Revised]

Norridgewock, Central Maine Airport of Norridgewock, ME
(lat. 44°42'56" N, long. 69°51'59" W)
Augusta VORTAC
(lat. 44°19'12" N, long. 69°47'47" W)

That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of Central Maine Airport from the Central Maine Airport 190° bearing clockwise to the Central Maine Airport 340° bearing, and within a 10-mile radius of the Central Maine Airport from the Central Maine Airport 340° bearing clockwise to the Central Maine Airport 190° bearing, and within 4 miles west and 5 miles east of the Augusta VORTAC 353° radial extending from the 10-mile radius to the Augusta VORTAC; excluding that airspace within the Augusta, ME Transition Area.

ANE ME TA Old Town, ME [Revised]

Old Town, Dewitt Field, Old Town Municipal Airport, ME
(lat. 44°57'10" N, long. 68°40'25" W)
Bangor VORTAC
(lat. 44°50'30" N, long. 68°52'26" W)
Old Town NDB
(lat. 45°00'24" N, long. 68°38'00" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Dewitt Field, Old Town Municipal Airport, and within 2.8 miles on each side of the Old Town NDB 029° bearing extending from the 7-mile radius to 9 miles northeast of the Old Town NDB, and within 4 miles on each side of the Bangor VORTAC 050° radial extending from the 7-mile radius to 25 miles northeast of the Bangor VORTAC; excluding that airspace within the Bangor, ME Airport Radar Service Area, and that airspace within the Bangor, ME Transition Area.

ANE ME TA Pittsfield, ME [Revised]

Pittsfield Municipal Airport, ME
(lat. 44°46'06" N, long. 69°22'28" W)
Burnham NDB
(lat. 44°41'50" N, long. 69°21'28" W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Pittsfield Municipal Airport, and within 2.9 miles on each side of the Burnham NDB 170° bearing extending from the 7.5-mile radius to 9.2 miles south of the NDB; excluding that airspace within the Belfast, ME Transition Area.

ANE ME TA Portland, ME [Revised]

Portland International Jetport, ME
(lat. 43°38'46" N, long. 70°18'31" W)
ORHAM LOM
(lat. 43°39'09" N, long. 70°26'28" W)

That airspace extending upward from 700 feet above the surface within a 8.7-mile radius of the Portland International Jetport, and within 3 miles on each side of the ORHAM LOM 275° bearing extending from the 8.7-mile radius to 10 miles west of the ORHAM LOM; excluding that airspace within the Portland, ME Airport Radar Service Area, and that airspace within the Biddeford, ME Transition Area.

ANE ME TA Presque Isle, ME [Revised]

Northern Maine Regional Airport at Presque Isle, ME

(lat. 46°41'20" N, long. 68°02'41" W)
Presque Isle VORTAC
(lat. 46°46'27" N, long. 68°05'40" W)
EXCAL LOM
(lat. 46°36'37" N, long. 68°01'08" W)
Caribou Municipal Airport, ME
(lat. 46°52'17" N, long. 68°01'04" W)
Loring Air Force Base
(lat. 46°57'01" N, long. 67°53'08" W)

That airspace extending upward from 700 feet above the surface within an 11-mile radius of Northern Maine Regional Airport at Presque Isle, and within 3 miles on each side of the EXCAL LOM 165° bearing extending from the 11-mile radius to 9.2 miles south of the EXCAL LOM, and within 4 miles east and 8 miles west of the Presque Isle VORTAC 340° radial extending from the 11-mile radius to 16 miles northwest of the VORTAC, and within a 8.5-mile radius of Caribou Municipal Airport, and within an 8.5-mile radius of Loring Air Force Base; excluding that airspace outside of the United States, and that airspace within the Limestone, ME, Control Zone.

ANE ME TA Princeton, ME [Revised]

Princeton Municipal Airport, ME
(lat. 45°12'02" N, long. 67°33'52" W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Princeton Municipal Airport, excluding that airspace outside the United States.

ANE ME TA Rangeley, ME

Rangely Municipal Airport, ME
(lat. 44°59'30" N, long. 70°39'49" W)
Rangeley NDB
(lat. 44°56'04" N, long. 70°45'04" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Rangeley Municipal Airport, and within 4 miles southeast and 8 miles northwest of the Rangeley NDB 227° bearing extending from Rangeley NDB to 16 miles southwest of NDB; excluding that airspace within the Berlin, NH, Transition Area.

ANE ME TA Rockland, ME [Revised]

Rockland, Knox County Regional Airport, ME
(lat. 44°03'37" N, long. 69°05'59" W)
Sprucehead NDB
(lat. 43°59'52" N, long. 69°07'03" W)

That airspace extending upward from 700 feet above the surface within a 8.4-mile radius of Knox County Regional Airport, and within 4 miles east and 5.5 miles west of the Sprucehead NDB 194° bearing extending from the 8.4-mile radius to 10 miles south of Sprucehead NDB.

ANE ME TA Sanford, ME [Revised]

Sanford Municipal, ME
(lat. 43°23'38" N, long. 70°42'29" W)
Kennebunk VORTAC
(lat. 43°25'33" N, long. 70°36'49" W)
SANFD LOM
(lat. 43°20'04" N, long. 70°50'04" W)

That airspace extending upward from 700 feet above the surface within 10.7 miles of Sanford Municipal Airport from the Sanford Airport 253° bearing clockwise to the Sanford Airport 073° bearing, and within 6.7 miles of the Sanford Municipal Airport from the Sanford Airport 073° bearing clockwise to the Sanford Airport 253° bearing, and within 4 miles north and 5 miles south of the SANFD LOM 238° bearing extending from the 6.7-mile radius to 10 miles southwest of the SANFD LOM, and within 4 miles north and 5 miles south of the Kennebunk VORTAC 064° radial extending from 6.7-mile radius to 9 miles northeast of the Kennebunk VORTAC; excluding that airspace within the Portsmouth, ME, Kennebunkport, ME, and Biddeford, ME, Transition Areas.

ANE ME TA Waterville, ME [Revised]

Waterville Robert LaFleur Airport, ME
(lat. 44°32'00" N, long. 69°40'32" W)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Waterville Robert LaFleur Airport; excluding that airspace within the Norridgewock, ME, and Augusta, ME, Transition Areas.

ANE ME TA Boston, MA [Revised]

Boston, General Edward Lawrence Logan International Airport
(lat. 42°21'51" N, long. 71°00'18" W)

That airspace extending upward from 700 feet above the surface within that area bounded by a line beginning at lat. 42°30'00" N, long. 70°47'58" W and running to lat. 42°43'00" N, long. 70°39'28" W, then to lat. 42°55'00" N, long. 70°57'58" W, then to lat. 42°56'00" N, long. 71°15'28" W, then to lat. 42°42'00" N, long. 71°17'58" W, then to lat. 42°32'00" N, long. 71°40'58" W, then to lat. 42°21'00" N, long. 71°41'58" W, then to lat. 42°20'00" N, long. 71°24'28" W, then to lat. 42°05'00" N, long. 71°22'30" W, then to lat. 42°04'00" N, long. 71°11'58" W, then to lat. 41°56'00" N, long. 71°06'58" W, then to lat. 41°59'00" N, long. 70°56'28" W, then to lat. 42°12'00" N, long. 70°36'28" W, then to the point of beginning; excluding that airspace within the Boston, MA Terminal Control Area, and that airspace within the South Wymouth, MA, Norwood, MA, Bedford, MA, Beverly, MA, Lawrence, MA, Control Zones, during the specific dates and times they are effective.

ANE MA TA Fall River, MA [Revised]

Fall River Municipal, MA
(lat. 41°45'18" N, long. 71°06'36" W)
Fall River NDB (FLR)
(lat. 41°45'20" N, long. 71°06'44" W)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Fall River Municipal Airport; excluding that airspace within the New Bedford, MA Control Zone during the dates and times it is effective, and that airspace within the New Bedford, MA, Providence, RI, and North Kingstown, RI, Transition Areas.

ANE MA TA Falmouth, MA [Revised]

Falmouth, Otis ANGB, MA
(lat. 41°39'40" N, long. 70°31'17" W)
Barnstable Municipal Airport-Boardman/Polando Field
(lat. 41°40'09" N, long. 70°16'49" W)
Chatham Municipal Airport
(lat. 41°41'18" N, long. 69°59'22" W)
Martha's Vineyard Municipal Airport
(lat. 41°23'335" N, long. 70°36'52" W)
Martha's Vineyard VOR/DME
(lat. 41°23'46" N, long. 70°36'46" W)
BOGEY LOM
(lat. 41°42'58"W, long. 70°12'11" W)

That airspace extending upward from 700 feet above the surface within a 12.2-mile radius of Otis ANGB, and within a 6.7-mile radius of Barnstable Municipal Airport, and within 3 miles on each side of the BOGEY LOM 050° bearing extending from the 6.7-miles radius to 10 miles northeast of the BOGEY LOM, and within a 6.3-miles radius of the Chatham Municipal Airport, and within a 6.5-mile radius of Martha's Vineyard Municipal Airport, and within 5.1 miles on each side of the 052° radial of the Martha's Vineyard VOR/DME extending from the 6.5-mile radius to 14 miles northeast of Martha's Vineyard VOR/DME; excluding that airspace within the Hyannis, MA, and Martha's Vineyard, MA, Control Zones during the specific dates and times they are effective, and that airspace within the Falmouth, MA Control Zone.

ANE MA TA Fitchburg, MA [Removed]

ANE MA TA Fort Devens, MA [Revised]

Fort Devens, Moore AAF, MA
(lat. 42°34'12" N, long. 71°36'10" W)
Dickinson NDB
(lat. 42°38'46" N, long. 71°43'37" W)

That airspace extending upward from 700 feet above the surface within a 7.6-mile radius of Fort Devens, Moore AAF, and within 3 miles on each side of 310° bearing from the Dickinson NDB extending from the 7.6-mile radius to 10 miles northwest of the Dickinson NDB; excluding that airspace within the Keene, NH, Nashua, NH, Manchester, NH, and Boston, MA, Transition Areas.

ANE MA TA Great Barrington, MA [Revised]

Great Barrington Airport, MA
(lat. 42°11'03" N, long. 73°24'11" W)

That airspace extending upward from 700 feet above the surface within a 12.8-mile radius of Great Barrington Airport, excluding that airspace within the Hudson, NY Transition Area.

ANE MA TA Hopedale, MA [Revised]

Hopedale Industrial Park Airport, MA
(lat. 42°06'23" N, long. 71°30'36" W)
Putnam VOR/DME
(lat. 41°57'20" N, long. 71°50'39" W)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of Hopedale Industrial Park Airport, and within 4 miles on each side of the Putnam VOR/DME 059° radial extending from the 7.3-miles radius to the Putnam VOR/DME; excluding that airspace within the Boston, MA, Danielson, CT, Pawtucket, RI, Providence, RI, and North Kingstown, RI, Transition Areas.

ANE MA TA Mansfield, MA [Revised]

Mansfield Municipal Airport, MA
(lat. 42°00'00" N, long. 71°11'48" W)

That airspace extending upward from 700 feet above the surface within a 8.3-mile radius of Mansfield Municipal Airport; excluding that airspace within Norwood, MA Control Zone during the specific dates and times it is effective, and that airspace within the Boston, MA, Hopedale, MA, Fall River, MA, North Kingstown, RI, Providence, RI, and Pawtucket, RI, Transition Areas.

ANE MA TA Marshfield, MA [Revised]

Marshfield Airport, MA
(lat. 42°05'53" N, long. 70°40'20" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Marshfield Airport, excluding that airspace within the Boston, MA Transition Area.

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ANE MA TA Northampton, MA [Revised]

Northampton Airport, MA
(lat. 42°19'41" N, long. 72°36'41" W)

That airspace extending upward from 700 feet above the surface within a 13.3-mile radius of Northampton Airport; excluding that airspace within the Springfield/Chicopee, MA, and Westfield, MA, Control Zones during the specific dates and times it is effective, and that airspace within the Springfield/Chicopee, MA, Keene, NH, and Windsor Locks, CT, Transition Areas.

ANE MA TA Palmer, MA [Revised]

Palmer, Metropolitan Airport, MA
(lat. 42°13'24" N, long. 72°18'41" W)
Palmer NDB
(lat. 42°13'26" N, long. 72°18'45" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Metropolitan Airport, and within 3.9 miles on each side of the Palmer NDB 201° bearing extending from the 6.3-mile radius to 13.3 miles southwest of the Palmer NDB; excluding that airspace within the Springfield/Chicopee, MA Control Zone during the specific dates and times it is effective, and that airspace within the Springfield/Chicopee, MA, Northampton, MA and Windsor Locks, CT, Transition Areas.

ANE MA TA Pittsfield, MA [Revised]

Pittsfield Municipal Airport, MA
(lat. 42°25'36" N, long. 73°17'34" W)

That airspace extending upward from 700 feet above the surface within a 4-mile radius of Pittsfield Municipal Airport, and within 4 miles on each side of the Pittsfield Municipal Airport 065° bearing extending from the 4-mile radius to 16.2 miles northeast of the Pittsfield Municipal Airport; excluding that airspace within the Great Barrington, MA Transition Area.

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ANE MA TA Provincetown, MA [Revised]

Provincetown Municipal Airport, MA
Racepoint NDB

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Provincetown Municipal Airport, and within 8 miles north and 4 miles south of the Racepoint NDB 051° bearing extending from the Racepoint NDB to 16 miles northeast of the Racepoint NDB, and within 8 miles north and 4 miles south of the Racepoint NDB 257° bearing extending from the Racepoint NDB TO 16 miles southwest of the Racepoint NDB; excluding that airspace within the Marshfield, MA, and Boston, MA, transition areas.

ANE MA TA Southbridge, MA [Revised]

Southbridge Municipal Airport, MA
(lat. 42°06'03" N, long. 72°02'18" W)

That airspace extending upward from 700 feet above the surface within a 7.8-mile radius of Southbridge Municipal Airport, excluding that airspace within the Worcester, MA Transition Area.

ANE MA TA Springfield/Chicopee, MA [Revised]

Springfield/Chicopee, Westover AFB, MA
(lat. 42°11'52" N, long. 72°31'48" W)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Westover AFB; excluding that airspace within the Westfield, MA Transition Area, and that airspace within the Springfield/Chicopee, MA, and Westfield, MA, Control Zones during the specific dates and times they are effective.

ANE MA TA Taunton, MA [Revised]

Taunton Municipal Airport, MA
(lat. 41°52'28" N, long. 71°01'01" W)
Taunton, NDB
(lat. 41°52'35" N, long. 71°01'01" W)

That airspace extending upward from 700 feet above the surface within a 7.3-mile radius of Taunton Municipal Airport; excluding that airspace within the Boston, MA, Fall River, MA, New Bedford, MA, and Mansfield, MA, Transition Areas.

ANE MA TA Westfield, MA [Revised]

Westfield, Barnes Municipal Airport, MA
(lat. 42°09'28" N, long. 72°42'56" W)

That airspace extending upward from 700 feet above the surface within a 12.8-mile radius of Barnes Municipal Airport; excluding that airspace within the Windsor Locks, CT Airport Radar Service Area, and that airspace within the Northampton, MA, Palmer, MA, and Windsor Locks, CT, Transition Areas, and that airspace within the Springfield, MA, and Westfield, MA, Control Zones during the specific dates and times they are effective.

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ANE NH TA Berlin, NH [Revised]

Berlin Municipal Airport, NH
(lat. 44°35'30" N, long. 71°10'32" W)
Berlin VOR/DME
(lat. 44°38'00" N, long. 71°11'10" W)

That airspace extending upward from 700 feet above the surface within an 8.2-mile radius of Berlin Municipal Airport, and within 4 miles west and 8 miles east of the Berlin VOR/DME 355° radial extending from the 8.2-mile radius to 16 miles north of the Berlin VOR/DME.

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ANE NH TA Concord, NH [Revised]

Concord Municipal Airport, NH
(lat. 43°12'12" N, long. 71°30'07" W)
EPSOM NDB
(lat. 43°07'07" N, long. 71°27'09" W)
Concord VORTAC
(lat. 43°13'11" N, long. 71°34'31" W)

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Concord Municipal Airport, and within 4 miles on each side of the EPSOM NDB 156° bearing extending from the 12-mile radius to 9.6 miles south of the EPSOM NDB, and within 8 miles south and 15 miles north of the Concord VORTAC 300° radial extending from the 12-mile radius to 20 miles northwest of the Concord VORTAC; excluding that airspace within the Manchester, NH Airport Radar Service Area.

ANE NH TA Keene, NH [Revised]

Keene, Dillant Hopkins Airport, NH
(lat. 42°53'53" N, long. 72°16'14" W)

That airspace extending upward from 700 feet above the surface within that area bounded by a line beginning at lat. 43°01'00" N, long. 72°13'00" W, and running to lat. 42°53'00" N, long. 71°55'00" W, then to lat. 42°38'00" N, long, 71°41'00" W, then to lat. 42°26'00" N, long. 71°42'00" W, then to lat. 42°26'00" N, long. 71°53'00" W, then to lat. 42°24'00" N, long. 72°00'00" W, then to lat. 42°28'00" N, long. 72°15'00" W, then to lat. 42°28'00" N, long. 72°40'00" W, then to lat. 42°39'00" N, long. 72°48'00" W, then to lat. 42°46'00" N, long. 72°43'00" W, then to lat. 42°52'00" N, long. 72°28'00" W, then to lat. 43°05'00" N, long. 72°34'30" W, then to lat. 43°10'00" N, long. 72°19'00" W, then to the point of beginning

ANE NH TA Laconia, NH [Revised]

Laconia Municipal Airport, NH
(lat. 43°34'22" N, long. 71°25'08" W)
Belknap NDB
(lat. 43°32'12" N, long. 71°32'13" W)

That airspace extending upward from 700 feet above the surface within a 2.8-mile radius of the Laconia Municipal Airport, and within 2.8 miles on each side of the Belknap NDB 249° bearing extending from the 2.8-mile radius to 8.8 miles southwest of the Belknap NDB, and within 2.8 miles on each side of the Laconia Municipal Airport 041° bearing extending from the 2.8-mile radius to 6.5 miles northeast of the Laconia Municipal Airport.

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ANE NH TA Manchester, NH [Revised]

Manchester Airport, NH
(lat. 42°56'00" N, long. 71°26'16" W)
Manchester VORTAC
(lat. 42°52'06" N, long. 71°22'10" W)

That airspace extending upward from 700 feet above the surface within a 23-mile radius of the Manchester Airport; excluding that airspace within the Manchester, NH Airport Radar Service Area, and that airspace within the Nashau, NH, and Lawrence, MA, Control Zones during the specific dates and times they are effective, and that airspace within the Boston, MA, and Keene, NH, Concord, NH, Portsmouth, NH, Nashua, NH, Newburyport, MA, Transition Areas.

ANE NH TA Nashua, NH [Revised]

Nashua, Boire Field, NH
(lat. 42°46'54" N, long. 71°30'53" W)
CHERN NDB
(lat. 42°49'24" N, long. 71°36'08" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Boire Field, and within that area bounded by a line beginning at lat. 42°53'22" N, long. 71°31'52" W and running to lat. 43°02'25" N, long. 71°13'28" W, then to lat. 42°55'15" N, long. 71°06'58" W, then to lat. 42°38'30" N,

long. 71°21'48" W, then to lat. 42°40'48" N, long. 71°27'50" W, and within 4 miles on each side of the CHERN NDB 303° bearing extending from the 7-mile radius to 10 miles northwest of the CHERN NDB; excluding that airspace within the Nashua, NH Control Zone during the specific dates and times it is effective, and that airspace within the Portsmouth, NH, Fort Devens, MA, and Boston, MA, Transition Areas, and that airspace within the Manchester, NH Airport Radar Service Area.

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ANE NH TA Portsmouth, NH [Revised]

Portsmouth, Pease International Tradeport, NH
(lat. 43°04'40" N, long. 70°49'24" W)

That airspace extending upward from 700 feet above the surface within that area bounded by a line beginning at lat. 43°25'00" N, long. 71°13'00" W and running to lat. 43°27'00" N, long. 70°56'00" W, then to lat. 43°25'00" N, long. 70°48'00" W, then to lat. 43°14'00" N, long. 70°36'00" W, then to lat. 43°00'00" N, long. 70°36'00" W, then to lat. 42°54'00" N, long. 70°52'00" W), then to lat. 42°49'00" N, long. 71°09'00" W, then to lat. 42°53'00" N, long. 71°12'00" W, then to lat. 43°03'00" N, long. 71°05'00" W), then to the point of beginning; excluding that airspace within the Portsmouth, NH Control Zone, and that airspace within the Newburyport, MA, and Boston, MA, Transition Areas.

ANE NH TA Whitefield, NH [Revised]

Whitefield, Mt. Washington Regional Airport, NH
(lat. 44°22'03" N, long. 71°32'40" W)
Mahn NDB
(lat. 44°21'44" N, long. 71°41'10" W)

That airspace extended upward from 700 feet above the surface within a 2.9-mile radius of Mt. Washington Regional Airport, and within 2.9 miles on each side of the MAHN NDB 267° bearing extending from 2.9-mile radius to 9.5 miles east of the MAHN NDB; excluding that airspace within the Lyndonville, VT Transition Area.

ANE RI TA Block Island, RI [Revised]

Block Island State Airport, RI
(lat. 41°10'05" N, long. 71°34'40" W)
Sandy Point VOR/DME
(lat. 41°10'03" N, long. 71°34'34" W)
Block Island NDB
(lat. 41°09'59" N, long. 71°34'47" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Block Island State Airport, and within 4 miles north to 8 miles south of the Block Island NDB 271° bearing extending from the 6.3-mile radius to 16 miles west of the Block Island NDB, and within 4 miles south to 8 miles north of the Sandy Point VOR/DME 080° radial extending from the 6.3-mile radius to 16 miles east of the Sandy Point VOR/DME.

ANE RI TA Newport, RI [Revised]

Newport State, RI
(lat. 41°31'56" N, long. 71°16'53" W)
Providence VORTAC
(lat. 41°43'28" N, long. 71°25'47" W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Newport State Airport, and within 2.2 miles on each side of the Providence VORTAC 150° radial extending from the 6.3-mile radius to 5.6 miles southeast of the Providence VORTAC, and within 4 miles northwest to 6 miles southeast of Newport State Airport 025° bearing extending from the 6.3-mile radius to 16.2 miles northeast of the Newport State Airport; excluding that airspace within the North Kingstown, RI, and New Bedford, MA, Control Zones during the specific dates and times they are effective, and that airspace within the Providence, RI Control Zone, and that airspace within the New Bedford, MA, and Fall River, MA, Transition Areas.

ANE RI TA North Kingstown, RI [Revised]

North Kingstown, Quonset State Airport, RI
(lat. 41°35'48" N, long. 71°24'43" W)
Providence VORTAC
(lat. 41°43'28" N, long. 71°25'47" W)

That airspace extending upward from 700 feet above the surface within a 9.3-mile radius of Quonset State Airport, and within 6.5 miles east to 4.5 miles west of the Quonset State Airport 145° bearing extending from the 9.3-mile radius to 16.3 miles southeast of the Quonset State Airport, and within 5 miles east to 8 miles west of the Providence VORTAC 355° radial extending from the 9.3-mile radius to 14.5 miles north of the Providence VORTAC; excluding that airspace within the North Kingstown, RI Control Zone during the dates and times it is effective, and that airspace within the Providence, RI Airport Radar Service Area, and that airspace within the Newport, RI, and New Bedford, MA, Transition Areas.

ANE RI TA Pawtucket, RI [Revised]

Pawtucket, North Central State, RI
(lat. 41°55'14" N, long. 71°29'29" W)
Providence VORTAC
(lat. 41°43'28" N, long. 71°25'47" W)
Putnam VOR/DME
(lat. 41°57'20" N, long. 71°50'39" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of North Central State Airport, and within 2 miles on each side of the North Central State Airport 032° bearing extending from the 6.6-mile radius to 13.4 miles northeast of the North Central State Airport, and within 4.5 miles east and 6.5 miles west of the North Central State Airport 212° bearing extending from 6.6-mile radius to 16 miles southwest of the North Central State Airport, and within 3.6 miles on each side of the Putnam VOR/DME 097° radial extending from the 6.6-mile radius to 6.8 miles east of the Putnam VOR/DME, and within 3.8 miles on each side of the Providence VORTAC 347° radial extending from the 6.6-mile radius to 0.8 miles north of the Providence VORTAC; excluding that airspace within the Providence, RI Airport Radar Service Area, and that airspace within the North Kingstown, RI, Danielson, CT, and Boston, MA Transition Areas.

ANE RI TA Providence, RI [Revised]

Providence, Theodore Francis Green State Airport, RI
(lat. 41°43'30" N, long. 71°25'40" W)
Providence VORTAC
(lat. 41°43'28" N, long. 71°25'47" W)

That airspace extending upward from 700 feet above the surface within a 8.8-mile radius of Theodore Francis Green State Airport, and within 4 miles northwest to 4.5 miles southeast of the Providence VORTAC 211° radial extending from the 8.8-mile radius to 16.7 miles southwest of the Providence VORTAC, and within 4 miles on each side of the VORTAC 330° radial extending from the 8.8-mile radius to 15.4 miles northwest of the Providence VORTAC, and within 2.9 miles on each side of the Providence VORTAC 132° radial extending from the 8.8-mile radius to 9.6 miles southeast of the Providence VORTAC; excluding that airspace within the North Kingstown, RI Control Zone during the dates and times it is effective, and that airspace within the Providence, RI Airport Radar Service Area, and that airspace within the North Kingstown, RI, Pawtucket, RI, Newport, RI, and Fall River, MA, Transition Areas.

* * * * *

ANE RI TA Westerly, RI [Revised]

Westerly State Airport, RI
(lat. 41°20'58" N, long. 71°48'12" W)
Westerly NDB
(lat. 41°20'40" N, long. 71°48'52" W)

That airspace extending upward from 700 feet above the surface within a 8.5-mile radius of Westerly State Airport, and within 2.9 miles on each side of the Westerly NDB 222° bearing extending from the 8.5-mile radius to 9.4 miles southwest of Westerly NDB; excluding that airspace within the Block Island, RI Transition Area, and that airspace within the Groton, CT Control Zone during the specific dates and times it is effective.

ANE VT TA Bennington, VT [Revised]

Bennington, William H. Morse State Airport, VT
(lat. 42°53'29" N, long. 73°14'47" W)
Cambridge VOR
(lat. 42°59'40" N, long. 73°20'38" W)

That airspace extending upward from 700 feet above the surface within a 2-mile radius of William H. Morse State Airport, and within 1.3 miles on each side of the Cambridge VOR 145° radial extending from the 2-mile radius to 1.4 miles southeast of Cambridge VOR.

ANE VT TA Burlington, VT [Revised]

Burlington International Airport, VT
(lat. 44°28'17" N, long. 73°09'10" W)
Burlington VORTAC
(lat. 44°23'49" N, long. 73°10'57" W)
HERRO NDB
(lat. 44°31'56" N, long. 73°14'58" W)

That airspace extending upward from 700 feet above the surface within a 10.8-mile radius of Burlington International Airport, and within 3 miles on each side of the Burlington VORTAC 201° radial extending from the 10.8-mile radius to 9.6 miles southwest of the Burlington VORTAC, and within 4 miles southwest and 8 miles northeast of the HERRO NDB 311° bearing extending from the 10.8-mile radius to 16 miles northwest of the HERRO NDB;

excluding that airspace within the Burlington, VT Airport Radar Service Area, and that airspace within the Plattsburgh, NY Control Zone.

* * * * *

ANE VT TA Lyndonville, VT [Revised]

Lyndonville, Caledonia County Airport, VT
(lat. 44°34'09" N, long. 72°01'04" W)

That airspace extending upward from 700 feet above the surface within a 12.3-mile radius of Caledonia County Airport.

ANE VT TA Montpelier, VT [Revised]

Barre-Montpelier, Edward F. Knapp State Airport, VT
(lat. 44°12'12" N, long. 72°33'44" W)
Montpelier VOR/DME
(lat. 44°05'08" N, long. 72°26'57" W)
Williams NDB
(lat. 44°07'14" N, long. 72°31'06" W)
Mt. Mansfield NDB
(lat. 44°23'12" N, long. 72°41'36" W)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Edward F. Knapp State Airport, and within 3 miles on each side of the Montpelier VOR/DME 144° radial extending from the 8-mile radius to 10 miles southeast of the Montpelier VOR/DME, and within 2.8 miles on each side of the Williams NDB 159° bearing extending from the 8-mile radius to 9.3 miles southeast of the Williams NDB, and within 3 miles on each side of the Mt. Mansfield NDB 332° bearing extending from the 8-mile radius to 9.8 miles northwest of the Mt. Mansfield NDB.

ANE VT TA Morrisville, VT [Revised]

Morrisville-Stowe State Airport, VT
(lat. 44°32'04" N, long. 72°36'50" W)
Morrisville-Stowe NDB
(lat. 44°34'43" N, long. 72°35'14" W)

That airspace extending upward from 700 feet above the surface within a 3.5-mile radius of Morrisville-Stow Airport, and within 2.9 miles on each side of the Morrisville-Stow NDB 034° bearing extending from 3.5-mile radius to 9.2 miles northeast of the Morrisville-Stow NDB.

* * * * *

ANE VT TA Springfield, VT [Revised]

Springfield, Hartness State Airport, VT
(lat. 43°20'37" N, long. 72°31'02" W)
Springfield NDB
(lat. 43°16'12" N, long. 72°35'11" W)

That airspace extending upward from 700 feet above the surface within a 3.0-mile radius of Hartness State Airport, and within 2.8 miles on each side of the Springfield NDB 217° bearing from 3.0-mile radius to 9 miles southwest of the Springfield NDB.

* * * * *

Issued in Burlington, Massachusetts, on July 6, 1993.

John J. Boyce,

Acting Manager, Air Traffic Division, New England Region.

[FR Doc. 93–17733 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No. 930520–3120]

RIN 0651–AA55

Patent Interference Practice—Separate Patentability of Claims

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Patent and Trademark Office (PTO) proposes to amend its rules of practice in patent interference cases. *In re Van Geuns* interpreted patent interference rules in a manner different from the manner in which the rules are interpreted by the Commissioner. The Federal Circuit held that the rules authorize a party to argue the separate patentability of claims that the PTO designates as corresponding to a single count. Under PTO rules, however, every claim designated to correspond to a court shall be directed to a single inventive concept. PTO proposes to amend the interference rules to specifically overcome the Federal Circuit's interpretation of the rules in *Van Geuns*. PTO proposes to specify that unless a party files a preliminary motion to contest the designation of a claim as corresponding to a count, the party shall be deemed to have conceded that all claims designated as corresponding to a count are unpatentable if any claim designated as corresponding to the count is held to be unpatentable and, may not argue to an examiner-in-chief or the board the separate patentability of claims designated to correspond to the count. PTO also proposes to specify that when an examiner-in-chief in an interference becomes aware of a reason why a claim corresponding to a count may not be patentable, the examiner-in-chief may enter an order notifying the parties of the reason and set a time within which each party may present its views, which may include a preliminary motion. The rules would further specify that an opponent may file an opposition to any preliminary motion and that the party would file a reply to an opposition.

These rules will apply prospectively except when an examiner-in-chief notifies a party in an interference to the contrary. If a party is notified, the party will be given an opportunity to respond regarding the patentability of a count in the interference.

DATES: Comments must be submitted on or before September 24, 1993.

ADDRESSES: Address comments to Box 8, Commissioner of Patents and Trademarks, Washington, DC 20231, marked to the attention of Fred E. McKelvey, Solicitor. Written comments will be available for public inspection in Suite 918, on the 9th floor of Crystal Park II; located at 2121 Crystal Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Fred E. McKelvey by telephone at (703) 305–9035 or by mail marked to his attention and addressed to Box 8, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

SUPPLEMENTARY INFORMATION: The Patent and Trademark Office (PTO) conducts interference proceedings to determine who, as between two or more applicants for patent or one or more applicants and one or more patentees, is the first inventor of a patentable invention.

A primary examiner determines in the first instance whether the claims in an application interfere with the claims in another application or a patent. When the examiner is of the view that an interference exists, the Board of Patent Appeals and Interferences (Board) is notified. 37 CFR 1.609. An examiner-in-chief, i.e., a member of the Board, is assigned to each interference. The interference is declared by the examiner-in-chief. 37 CFR 1.610(a).

Each separately patentable invention involved in the interference is defined by a count. The count is a vehicle for contesting priority of invention (i.e., who made the invention defined by the count first) and determining the evidence relevant to the issue of priority. *Squires* v. *Corbett*, 560 F.2d 424, 433, 194 USPQ 513, 519 (CCPA 1977); *Case* v. *CPC Int'l, Inc.*, 730 F.2d 745, 749, 221 USPQ 196, 200 (Fed. Cir.), *cert. denied*, 469 U.S. 872 (1984); *In re Van Geuns*, 988 F.2d at 1184, 26 USPQ2d at 1058–59 (Fed. Cir. 1993).

Each claim of any application or patent to be involved in the interference is designated to correspond to the count or not to correspond to the count. A preliminary determination is made by the PTO as to which claims should be designated to correspond to the count. The claims that are initially determined to define the same patentable invention as the count are designated to correspond to the count. All other claims are designated as not corresponding to the count. The designation of claims as corresponding or not corresponding provides a starting point in an interference. Under PTO practice, there is a presumption that the designation of a claim as corresponding or not corresponding to a count is correct.

The rules authorize a party to file a preliminary motion to redefine an interference by designating a claim as corresponding or not corresponding to a count. 37 CFR 1.633(c) (3) and (4). Prior to *Van Geuns*, the PTO had interpreted the rules to require a preliminary motion to designate a claim as not corresponding to a count as a condition to being able to argue to an examiner-in-chief or the Board that the claim is separately patentable from the other claims designated to correspond to the count. See *Brooks* v. *Street*, 16 USPQ2d 1374, 1378 (Bd. Pat. App. & Int. 1990); *Flehmig* v. *Giesa* 13 USPQ2d 1052, 1054 (Bd. Pat. App. & Int. 1989); *Kwon* v. *Perkins*, 6 USPQ2d 1747, 1751 (Bd. Pat. App. & Int. 1988), *aff'd on other grounds*, 886 F.2d 325, 12 USPQ2d 1308 (Fed. Cir. 1989); see also *Lamont* v. *Berguer*, 7 USPQ2d 1580, 1582 (Bd. Pat. App. & Int. 1988). In *Van Geuns*, however, the Federal Circuit interpreted the rules differently, stating:

> [T]he position of the Commissioner that claims designated as corresponding to a count stand or fall with the patentability of the subject matter of the count is overbroad.

988 F.2d at 1185, 26 USPQ2d at 1060. The Federal Circuit further stated:

> [W]e conclude that a party to an interference, who has failed to timely contest the designation of claims corresponding to a count, has not conceded that the claims corresponding to a count are anticipated or made obvious [i.e., are unpatentable] by the prior art when the subject matter of the count is determined to be unpatentable for obviousness. The PTO must determine, based on the actual prior art reference or references, whether claims not [designated as] corresponding exactly to the count are unpatentable.

Id. at _____, 26 USPQ2d at 1060. The Federal Circuit still further stated:

> The interference rules do not specify whether a party may argue the patentability of claims separately to the EIC [examiner-in-chief] and the board.

Id. at _____, 26 USPQ2d at 1060.

The changes proposed to the interference rules are designed to overcome the Federal Circuit's statement.

Subsection (f) of 37 CFR 1.601, as proposed to be amended, would clarify that claims are designated to correspond to a count. The designation constitutes a rebuttable presumption that, with respect to patentability, the claims stand or fall with the count.

Subsection (f) would also eliminate the "but which defines the same patentable invention as the count" language, thereby eliminating the definition of "same patentable invention" in 37 CFR 1.601(n) from the designation of claims that correspond substantially to a count. The purpose of the proposed changes is to overcome the Federal Circuit's *Van Geuns'* statement that "[i]f a party does not timely contest the designation of claims, there is in effect a concession that all of the designated claims would be anticipated or made obvious if the count were actually prior art." Id. at _____, 26 USPQ2d at 1060.

Finally, the definition of a "phantom count" would be revised to clarify that it is unpatentable to the parties under 35 U.S.C. 112.

Subsection (k) of 37 CFR 1.633, as proposed to be amended, would provide that a party who fails to contest, by way of a timely filed preliminary motion under 37 CFR § 1.633, the designation of a claim as corresponding to a count may not subsequently argue to an examiner-in-chief or the Board the separate patentability of claims designated to correspond to a count.

The first sentence of § 1.641, as proposed to be amended, would be redesignated subsection (a) and would clarify that the Examiner-in-chief would notify the parties by order of the unpatentability of claims designated as corresponding to a count. The word "corresponding" would be changed to "designated to correspond" to conform with the proposed revision to subsection 1.601(f). Proposed subsection (a) would also indicate that responses to the order may include argument and any preliminary motion permitted under § 1.633(c), (d), or (h), as well as any supporting evidence.

A new subsection (b) would be added to § 1.641 that would specify that the opposition and reply practice under § 1.638 applies to a preliminary motion filed in response to the Examiner-in-Chief's order under subsection (a) of this section.

Finally, the last sentence of the current § 1.641 would be redesignated as subsection (c) and would include a reference to the preliminary motions under § 1.633 permitted under the revision to subsection (a) of this section.

These rules will apply prospectively except when an examiner-in-chief notifies a party in an interference to the contrary. If a party is notified, the party will be given an opportunity to respond regarding the patentability of a count in the interference.

Other Considerations

The proposed rule changes are in conformity with the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), Executive Orders 12291 and 12612 and the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

The General Counsel of the Department of Commerce has certified to the Chief Counsel for Advocacy, Small Business Administration, that these proposed rule changes will not have a significant economic impact on a substantial number of small entities (Regulatory Flexibility Act, 5 U.S.C. 605(b)). The principal impact of these proposed changes would be to clarify the procedure for arguing the patentability of claims corresponding to a count in patent interferences and thereby eliminate any confusion, delay, or redundancy that might result from misinterpretation of the current rules.

The Office has determined that this proposed rule change is not a major rule under Executive Order 12291. The annual effect on the economy will be less than $100 million. There will be no major increase in costs or prices for consumers; individuals; industries; Federal, state or local government agencies; or geographic regions. There will be no significant effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Office has also determined that this notice has no Federalism implications affecting the relationship between the National Government and the States as outlined in Executive Order 12612.

The rule change will not impose a burden under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq., since no recordkeeping or reporting requirements within the coverage of the Act are placed upon the public.

List of Subjects in 37 CFR Part 1

Administrative practice and procedure, Courts, Inventions and patents.

For the reasons set out in the preamble, it is proposed to amend 37 CFR part 1 wherein removals are indicated by brackets ([ ]) and additions by arrows (⇩ ⇧) as follows:

PART 1—RULES OF PRACTICE IN PATENT CASES

1. The authority citation for 37 CFR part 1 would continue to read as follows:

Authority: 35 U.S.C. 6, unless otherwise noted.)

2. Section 1.601 is proposed to be amended by revising paragraph (f) to read as follows:

§ 1.601 Scope of rules, definitions.

* * * * *

(f) A "count" defines the interfering subject matter between:

(1) Two or more applications or

(2) One or more applications and one or more patents.

When there is more than one count, each count shall define a separate patentable invention. Any claim of an application or patent [which] ◆ that is designated to ◆ correspond[s] to a count is a claim involved in the interference within the meaning of 35 U.S.C. 135(a). A claim of a patent or application ◆ that ◆ [which] is identical to a count is said to "correspond exactly" to the count. A claim of a patent or application ◆ that ◆ [which] is not identical to a count [, but which defines the same patentable invention as the count,] is said to "correspond substantially " to the count. When a count is broader in scope than all claims ◆ that ◆ [which] correspond to the count, the count is a "phantom count." A phantom count is not patentable to any party under 35 U.S.C. 112.

* * * * *

3. Section 1.633 is proposed to be amended by adding a new paragraph (k) to read as follows:

§ 1.633 Preliminary motions.

* * * * *

(k) A party who fails to contest, by way of a timely filed preliminary motion under § 1.633(c), the designation of a claim as corresponding or not corresponding to a count may not subsequently argue to an Examiner-in-Chief or the Board the separate patentability or the lack of separate patentability of claims designated to correspond to the count.

4. Section 1.641 is proposed to be revised to read as follows:

§ 1.641 Unpatentability discovered by examiner-in-chief.

◆ (a) ◆ During the pendency of an interference, if the examiner-in-chief becomes aware of a reason why a claim ◆ designated to correspond ◆ [corresponding] to a count may not be patentable, the examiner-in-chief may [notify] ◆ enter an order notifying ◆ the parties of the reason and set a time within which each party may present its views, ◆ which may include argument and any appropriate preliminary motion under § 1.633(c), (d), or (h), including any supporting evidence ◆.

◆ (b) If a party timely files a preliminary motion in response to the order of the examiner-in-chief, any opponent may file an opposition pursuant to § 1.638(a). If an opponent files an opposition, the party may file a reply pursuant to § 1.638(b). ◆

◆ (c) ◆ After considering any timely filed views, ◆ including any timely filed preliminary motions under § 1.633, ◆ the examiner-in-chief shall decide how the interference shall proceed.

Dated: July 16, 1993.

Michael K. Kirk,

Acting Assistant Secretary and Acting Commissioner of Patents and Trademarks.

[FR Doc. 93–17513 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-16-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 1

RIN: 2900–AE28

Confidentiality of Certain Medical Records

AGENCY: Department of Veterans Affairs.

ACTION: Proposed regulations.

SUMMARY: The Department of Veterans Affairs (VA) proposes to amend its regulations to implement specific provisions of the Veterans Omnibus Health Care Act of 1976 and the Veterans' Benefits and Services Act of 1988 concerning the confidentiality of certain medical records. These proposed regulations protect the confidentiality of VA records pertaining to drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus (HIV), and sickle cell anemia treatment, rehabilitation, education, training, evaluation and research information.

DATES: Comments must be received on or before August 25, 1993. Comments will be available for public inspection until September 7, 1993.

ADDRESSES: Interested persons are invited to submit written comments, suggestions, or objections regarding these proposed regulations to: Secretary of Veterans Affairs (271A), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. All written comments received will be available for public inspection only in the Veterans Services Unit, room 132 of the above address, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays) until September 7, 1993. A copy of any comments that concern information collection requirements should also be sent to the Office of Management and Budget at the address contained in the Paperwork Reduction section of this preamble.

FOR FURTHER INFORMATION CONTACT: Harold Ramsey, Program Specialist, Medical Administration Service (161B4), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202) 535–7657.

SUPPLEMENTARY INFORMATION: VA is mandated by the Veterans Omnibus Health Care Act of 1976 and the Veterans' Benefits and Services Act of 1988 to publish its own regulations relative to the confidentiality of medical records relating to drug abuse, alcoholism or alcohol abuse, infection with the HIV, and sickle cell anemia. VA, generally, has been following the Department of Health and Human Services' regulations on drug and alcohol abuse which were published in the **Federal Register**, July 1, 1975. The Department of Health and Human Services (HHS) regulations (42 CFR 2.1–2.67) were promulgated with the enactment of legislation specific to alcohol and drug abuse programs and confidentiality of records. The proposed regulations take into consideration the existing HHS regulations in implementing the confidentiality section of the Veterans Omnibus Health Care Act of 1976. Editorial and substantive changes were made to the HHS regulations which were published in the **Federal Register**, June 9, 1987. For convenience in comparing specific sections of the existing HHS regulations with these proposed VA regulations a cross index has been prepared which is set forth below.

The historical development of the regulations follow. Public Law 93–282, "Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974," provided that the then Administrator of Veterans Affairs, through the then Chief Medical Director, consistent with responsibilities under title 38, United States Code, prescribe regulations applicable to the confidentiality of medical records maintained in connection with the provision of hospital care, nursing home care, domiciliary care and medical services under title 38 to patients suffering from alcohol abuse, alcoholism, and drug abuse. In prescribing and implementing these regulations, the Secretary of Veterans Affairs is to consult with the Secretary of HHS in order to achieve the maximum possible coordination of the regulations.

Congress, recognizing that the particular problems of confidentiality of records in the VA health care system would best be handled by placing applicable provisions in Title 38, United States Code, added a new section 4132, now section 7332, to title 38, United

States Code, with the enactment of Public Law 94–581, Veterans Omnibus Health Care Act of 1976. The intent of this legislation was to ensure confidentiality of certain medical records by establishing sanctions for unauthorized disclosure of information, while at the same time, meeting the legitimate needs for disclosure under certain conditions. As part of this legislation, Congress imposed upon VA requirements similar to those of Public Law 93–282 noted above (38 U.S.C. 7334, formerly 4134).

Section 111 of Public Law 94–581 replaced for VA purposes, the provisions of sections 122(a) and 303 of Public Law 93–282 (21 U.S.C. 1175, for drug records; 42 U.S.C. 4582, for alcohol records) as the statutory base for confidentiality of drug and alcohol abuse records for those patients treated by VA medical facilities. Additionally, it replaced section 109 of Public Law 93–82 (38 U.S.C. 1753(b), formerly 653(b)) which provided for confidentiality of sickle cell anemia records and required VA to promulgate regulations. Public Law 94–581, Veterans Omnibus Health Care Act of 1976, addressed all three subjects—drug abuse, alcoholism and sickle cell anemia records—in its confidentiality mandate. Section 121 of Public Law 100–322 provided for the confidentiality of records relating to infection with the HIV. Accordingly, drug and alcohol abuse, infection with the HIV, and sickle cell anemia records are included in these proposed regulations.

VA has followed regulations on the confidentiality of patients' records related to drug and alcohol abuse as prescribed in 1975 by the Secretary of HHS. However, certain provisions of the HHS regulations are inconsistent with VA requirements. These proposed regulations address those inconsistencies, some of which follow. The concept of "program" as used in the HHS regulations does not have applicability to VA because, in VA, provision of medical care and treatment for the aforementioned conditions is considered to be an integral part of VA's medical and benefits functions rather than a separate program isolated from other Department functions.

The HHS regulations leave the determination to destroy patient records to officials of an individual drug or alcohol abuse program. VA has a Departmentwide policy regarding record retention.

The drafting of these proposed regulations has necessarily involved minor clarifying and editorial changes in the HHS regulations to more specifically use VA terminology and already established requirements. Further, changes have addressed inconsistencies between the HHS and VA applicable confidentiality statutes as well. For example, whereas the HHS regulations do not qualify the conditions under which disclosure of information from the records of deceased patients may be made, 38 U.S.C. 7332 generally only allows this disclosure with consent of the patient's next-of-kin or personal representative when the purpose has been determined by the Under Secretary for Health or designee to be necessary to obtain VA or other survivorship benefits.

The HHS regulations as well as 38 U.S.C. 7332 allow for disclosure by an appropriate court order after the court determines the need for disclosure and imposes appropriate safeguards against unauthorized disclosure. These proposed regulations clarify the court order process and restrict mandatory disclosure to a Federal court. A VA facility in these regulations, as part of the Federal government, is not bound by an order from a State court, but may, in its discretion, honor a State court order. However, it is contemplated that VA will cooperate with State courts to the fullest extent appropriate.

The HHS regulations as revised in 1987 cover only alcohol and drug abuse information that is obtained by a specialized program or specific provider whose primary function is the provision of alcohol or drug abuse diagnosis, treatment, or referral for treatment. The 1987 regulations do not cover alcohol and drug abuse information obtained by health care facilities which provide alcohol and drug abuse care only as an incident to the provision of general medical care. The proposed regulations have been drafted to include all records which are maintained in connection with the performance of any VA program or activity (including education, training, evaluation, treatment, rehabilitation or research) relating to drug abuse, alcoholism, infection with the HIV, or sickle cell anemia in order to provide greater confidentiality for patients who are provided care for these conditions.

Finally, these regulations are not intended to direct the manner in which substantive functions, such as research, treatment, and evaluation should be carried out, but rather to define the minimum requirements for the protection of confidentiality of patient records which must be satisfied in connection with the conduct of those functions in order to carry out the purposes of the authorizing legislation.

A copy of the draft regulations were reviewed by HHS staff and comments were provided for consideration concerning five proposed changes. It was suggested in the first comment that the definition of "patient" proposed at § 1.460(h) be revised to track the HHS definition at 42 CFR 2.11 and that a sentence be added to clarify the definition. The definition was revised based on these comments. In the second comment it was suggested that the Public Health Service research confidentiality protection that is mentioned at 42 CFR 2.21 of the HHS regulations be incorporated into § 1.468(a) and applied to VA records. The addition was made to the proposed regulations.

The third comment concerned the proposed § 1.475(c) which requires that when VA is presented with an insufficient written consent for information protected by 38 U.S.C. 7332 in the process of obtaining a legally sufficient consent, VA must correspond only with the patient whose records are involved. It was suggested that VA consider permitting its facilities to notify an inquiring party of the application of 38 U.S.C. 7332 and these regulations to patient records on alcohol and drug abuse, HIV, and sickle cell anemia as is provided for in 42 CFR 2.13(c)(2) for drug and alcohol records. It was further suggested that such notification should not affirmatively state that VA confidentiality laws apply to the records of an identified patient. This suggestion was not accepted, however, due to the statutory amendment to section 7332 which prohibits the disclosure to any person or entity other than the patient or subject concerned of the fact that a special written consent is required in order for such records to be disclosed.

It was suggested in the fourth comment that provisions be added to the proposed regulations to permit the disclosure of records protected by 38 U.S.C. 7332 in making child abuse and neglect reports under State law. VA cooperates in submitting child abuse and neglect reports to States but the reports do not include section 7332-type information. However, where there is a medical emergency which necessitates the disclosure of this type of information, the information may be disclosed. In the absence of a medical emergency where disclosure is indicated, a court order would authorize disclosure. Public Law 99–401, August 27, 1986, Title I, section 106, 100 Stat. 907, which amended 42 U.S.C. 290dd-3(e) and 290ee–3(e) to authorize reporting of child abuse information did not amend 38 U.S.C. 7332. In view of these additional provisions for

disclosure of the § 7332 information, the suggestion was not accepted.

The last comment concerned the requirement in § 1.486(a) that the disclosure of HIV information under State public health reporting laws must be consistent with 38 U.S.C. 5701, formerly 3301, and 7332, i.e., that such State laws must require such disclosure and provide for a penalty or fine to be assessed against those individuals who are subject to the jurisdiction of the public health authority but fail to comply with the reporting requirements. There was concern that this requirement would lead to the underreporting to public health authorities of individuals who are infected with the HIV. However, this concern was resolved when it was determined that with the exception of one State statute all other State statutes meet the HIV infection reporting requirements of Title 38.

Cross Index

VA Regulations governing release of information from VA records containing information related to drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia.

Department of Health and Human Services regulations, 42 CFR part 2, as Revised June 9, 1987, and Department of Veterans Affairs regulations, 38 CFR 1.460 to 1.490.

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2.51—1.485
2.52—1.488
2.53—1.489

Subpart E—Court Orders Authorizing Disclosures and Use

2.61—1.490
2.62—1.491
2.63—Eliminated
2.64—1.492
2.65—1.493
2.66—1.494
2.67—1.495

These proposed regulations are considered nonmajor under the criteria of Executive Order 12291, Federal Regulations. They will not have an annual effect on the economy of $100 million or more; will result in no significant increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. They will have no adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export market.

These proposed regulations will impose no regulatory, peperwork or administrative burdens on small entities since the change concerns the protection of patient medical information regarding drug or alcohol abuse, infection with the HIV and sickle cell anemia. For this reason, the Secretary certifies that these provisions are administrative and will not have a significant economic impact on small entities as defined in 5 U.S.C. 600–612, The Regulatory Flexibility Act.

The Paperwork Reduction Act

Section 1.475 of this proposed regulation contains an information collection requirement requiring approval by the Office of Management and Budget in accordance with the requirements of the Paperwork Reduction Act. The Department of Veterans Affairs estimates that it will take an average of five minutes per respondent to provide the required information and there will be approximately 20,640 such requests made per year. As required by section 3504(h) of the Paperwork Reduction Act, VA is submitting a request that OMB approve the information collection requirement at § 1.475. Individuals desiring to submit comments for consideration by OMB on this proposed information collection should send them to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Joseph F. Lackey.

List of Subjects in 38 CFR Part 1

Administrative procedures, Privacy Act, Recordkeeping.

Approved: March 22, 1993.

Jesse Brown,

Secretary of Veteran Affairs.

For the reasons set out in the preamble, 38 CFR part 1 is proposed to be amended as follows:

PART 1—GENERAL

1. New center headings and Sections 1.460 through 1.499 are added as follows:

Release of Information From Department of Veterans Affairs (VA) Records Relating to Drug Abuse, Alcoholism or Alcohol Abuse, Infection With the Human Immunodeficiency Virus (HIV), or Sickle Cell Anemia.

Sec.
1.460 Definitions.
1.461 Applicability.
1.462 Confidentiality restrictions.
1.463 Criminal penalty for violations.
1.464 Minor patients.
1.465 Incompetent and deceased patients.
1.466 Security for records.
1.467 Restrictions on the use of identification cards and public signs.
1.468 Relationship to Federal statutes protecting research subjects against compulsory disclosure of their identity.
1.469 Patient access and restrictions on use.
1.470–1.474 [Reserved]

Disclosures with Patient's Consent

1.475 Form of written consent.
1.476 Prohibition on redisclosure.
1.477 Disclosures permitted with written consent.
1.478 Disclosures to prevent multiple enrollments in detoxification and maintenance treatment programs; not applicable to records relating to sickle cell anemia or infection with the human immunodeficiency virus.
1.479 Disclosures to elements of the criminal justice system which have referred patients.
1.480–1.484 [Reserved]

Disclosures Without Patient Consent

1.485 Medical emergencies.
1.486 Disclosure of information related to infection with the human immunodeficiency virus to public health authorities.
1.487 Disclosure of information related to infection with the human immunodeficiency virus to the spouse or sexual partner of the patient.
1.488 Research activities.
1.489 Audit and evaluation activities.

Court Orders Authorizing Disclosures and Use

1.490 Legal effect of order.
1.491 Order not applicable to records disclosed without consent to researchers, auditors and evaluators.
1.492 Procedures and criteria for orders authorizing disclosures for noncriminal purposes.

Sec.

1.493 Procedures and criteria for orders authorizing disclosure and use of records to criminally investigate or prosecute patients.
1.494 Procedures and criteria for orders authorizing disclosure and use of records to investigate or prosecute VA or employees of VA.
1.495 Orders authorizing the use of undercover agents and informants to criminally investigate employees or agents of VA.
1.496–1.499 [Reserved]

Release of Information From Department of Veterans Affairs Records Relating to Drug Abuse, Alcoholism or Alcohol Abuse, Infection With the Human Immunodeficiency Virus (HIV), or Sickle Cell Anemia.

Note: Sections 1.460 through 1.499 of this part concern the confidentiality of information relating to drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia in VA records and are applicable in combination with other regulations pertaining to the release of information from VA records. Sections 1.500 through 1.527, Title 38, Code of Federal Regulations, implement the provisions of 38 U.S.C. 5701 and 5702. Sections 1.550 through 1.559 implement the provisions of 5 U.S.C. 552 (The Freedom of Information Act). Sections 1.575 through 1.584 implement the provisions of 5 U.S.C. 552a (The Privacy Act of 1974).

Authority: The provisions of §§ 1.460 through 1.499 of this part pertain to any program or activity, including education, treatment, rehabilitation or research, which relates to drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia. The statutory authority for the drug abuse provisions and alcoholism or alcohol abuse provisions of §§ 1.460 through 1.499 is sec. 111 of Pub. L. 94–581, the Veterans Omnibus Health Care Act of 1976 (38 U.S.C. 7331 through 7334), the authority for the human immunodeficiency virus provisions is sec. 121 of Pub. L. 100–322, the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 7332); the authority for the sickle cell anemia provisions is sec. 109 of Pub. L. 93–82, the Veterans Health Care Expansion Act of 1973 (38 U.S.C. 1751–1754, formerly 651–654).

§ 1.460 Definitions.

For purposes of §§ 1.460 through 1.499 of this part, the following definitions apply:

(a) *Alcohol abuse.* The term "alcohol abuse" means the use of an alcoholic beverage which impairs the physical, mental, emotional, or social well-being of the user.

(b) *Contractor.* The term "contractor" means a person who provides services to VA such as data processing, dosage preparation, laboratory analyses or medical or other professional services. Each contractor shall be required to enter into a written agreement subjecting such contractor to the provisions of §§ 1.460 through 1.499 of this part; 38 U.S.C. 5701 and 7332; and 5 U.S.C. 552a and 38 CFR 1.576(g).

(c) *Diagnosis.* The term "diagnosis" means any reference to an individual's alcohol or drug abuse or to a condition which is identified as having been caused by that abuse or any reference to sickle cell anemia or infection with the human immunodeficiency virus which is made for the purpose of treatment or referral for treatment. A diagnosis prepared for the purpose of treatment or referral for treatment but which is not so used is covered by §§ 1.460 through 1.499 of this part. These regulations do not apply to a diagnosis of drug overdose or alcohol intoxication which clearly shows that the individual involved is not an alcohol or drug abuser (e.g., involuntary ingestion of alcohol or drugs or reaction to a prescribed dosage of one or more drugs).

(d) *Disclose or disclosure.* The term "disclose" or "disclosure" means a communication of patient identifying information, the affirmative verification of another person's communication of patient identifying information, or the communication of any information from the record of a patient who has been identified.

(e) *Drug abuse.* The term "drug abuse" means the use of a psychoactive substance for other than medicinal purposes which impairs the physical, mental, emotional, or social well-being of the user.

(f) *Infection with the human immunodeficiency virus (HIV).* The term "infection with the human immunodeficiency virus (HIV)" means the presence of laboratory evidence for human immunodeficiency virus infection. For the purposes of §§ 1.460 through 1.499 of this part, the term includes the testing of an individual for the presence of the virus or antibodies to the virus and information related to such testing (including tests with negative results).

(g) *Informant.* The term "informant" means an individual who is a patient or employee or who becomes a patient or employee at the request of a law enforcement agency or official and who at the request of a law enforcement agency or official observes one or more patients or employees for the purpose of reporting the information obtained to the law enforcement agency or official.

(h) *Patient.* The term "patient" means any individual or subject who has applied for or been given a diagnosis or treatment for drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia and includes any individual who, after arrest on a criminal charge, is interviewed and/or tested in connection with drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia in order to determine that individual's eligibility to participate in a treatment or rehabilitation program. The term patient includes an individual who has been diagnosed or treated for alcoholism, drug abuse, HIV infection, or sickle cell anemia for purposes of participation in a VA program or activity relating to those four conditions, including a program or activity consisting of treatment, rehabilitation, education, training, evaluation, or research. The term "patient" for the purpose of infection with the human immunodeficiency virus or sickle cell anemia, includes one tested for the disease.

(i) *Patient identifying information.* The term "patient identifying information" means the name, address, social security number, fingerprints, photograph, or similar information by which the identity of a patient can be determined with reasonable accuracy and speed either directly or by reference to other publicly available information. The term does not include a number assigned to a patient by a treatment program, if that number does not consist of, or contain numbers (such as social security, or driver's license number) which could be used to identify a patient with reasonable accuracy and speed from sources external to the treatment program.

(j) *Person.* The term "person" means an individual, partnership, corporation, Federal, State or local government agency, or any other legal entity.

(k) *Records.* The term "records" means any information received, obtained or maintained, whether recorded or not, by an employee or contractor of VA, for the purpose of seeking or performing VA program or activity functions relating to drug abuse, alcoholism, tests for or infection with the human immunodeficiency virus, or sickle cell anemia regarding an identifiable patient. A program or activity function relating to drug abuse, alcoholism, infection with the human immunodeficiency virus, or sickle cell anemia includes evaluation, treatment, education, training, rehabilitation, research, or referral for one of these conditions. Sections 1.460 through 1.499 of this part apply to a primary or other diagnosis, or other information which identifies, or could reasonably be expected to identify, a patient as having a drug or alcohol abuse condition.

infection with the human immunodeficiency virus, or sickle cell anemia (e.g., alcoholic psychosis, drug dependence), but only if such diagnosis or information is received, obtained or maintained for the purpose of seeking or performing one of the above program or activity functions. Sections 1.460 through 1.499 of this part do not apply if such diagnosis or other information is not received, obtained or maintained for the purpose of seeking or performing a function or activity relating to drug abuse, alcoholism, infection with the human immunodeficiency virus, or sickle cell anemia for the patient in question. Whenever such diagnosis or other information, not originally received or obtained for the purpose of obtaining or providing one of the above program or activity functions, is subsequently used in connection with such program or activity functions, those original entries become a "record" and §§ 1.460 through 1.499 of this part thereafter apply to those entries. Segregability: These regulations do not apply to records or information contained therein, the disclosure of which (the circumstances surrounding the disclosure having been considered) could not reasonably be expected to disclose the fact that a patient has been connected with a VA program or activity function relating to drug abuse, alcoholism, infection with the human immunodeficiency virus, or sickle cell anemia.

(1) The following are examples of instances whereby records or information related to alcoholism or drug abuse are covered by the provisions of §§ 1.460 through 1.499 of this part:

(i) A patient with alcoholic delirium tremens is admitted for detoxification. The patient is offered treatment in a VA alcohol rehabilitation program which he declines.

(ii) A patient who is diagnosed as a drug abuser applies for and is provided VA drug rehabilitation treatment.

(iii) While undergoing treatment for an unrelated medical condition, a patient discusses with the physician his use and abuse of alcohol. The physician offers VA alcohol rehabilitation treatment which is declined by the patient.

(2) The following are examples of instances whereby records or information related to alcoholism or drug abuse are not covered by the provisions of §§ 1.460 through 1.499 of this part:

(i) A patient with alcoholic delirium tremens is admitted for detoxification, treated and released with no counseling or treatment for the underlying condition of alcoholism.

(ii) While undergoing treatment for an unrelated medical condition, a patient informs the physician of a history of drug abuse fifteen years earlier with no ingestion of drugs since. The history and diagnosis of drug abuse is documented in the hospital summary and no treatment is sought by the patient or offered or provided by VA during the current period of treatment.

(iii) While undergoing treatment for injuries sustained in an accident, a patient's medical record is documented to support the judgment of the physician to prescribe certain alternate medications in order to avoid possible drug interactions in view of the patient's enrollment and treatment in a non-VA methadone maintenance program. The patient states that continued treatment and follow-up will be obtained from private physicians and VA treatment for the drug abuse is not sought by the patient nor provided or offered by the staff.

(l) *Third party payer.* The term "third party payer" means a person who pays, or agrees to pay, for diagnosis or treatment furnished to a patient on the basis of a contractual relationship with the patient or a member of his or her family or on the basis of the patient's eligibility for Federal, State, or local governmental benefits.

(m) *Treatment.* The term "treatment" means the management and care of a patient for drug abuse, alcoholism or alcohol abuse, infection with the human immunodeficiency virus, or sickle cell anemia, or a condition which is identified as having been caused by one or more of these conditions, in order to reduce or eliminate the adverse effects upon the patient. The term includes testing for the human immunodeficiency virus or sickle cell anemia.

(n) *Undercover agent.* The term "undercover agent" means an officer of any Federal, State, or local law enforcement agency who becomes a patient or employee for the purpose of investigating a suspected violation of law or who pursues that purpose after becoming a patient or becoming employed for other purposes.

(Authority: 38 U.S.C. 7334)

§ 1.461 Applicability.

(a) *General.*—(1) *Restrictions on disclosure.* The restrictions on disclosure in these regulations apply to any information whether or not recorded, which:

(i) Would identify a patient as an alcohol or drug abuser, an individual tested for or infected with the human immunodeficiency virus (HIV), hereafter referred to as HIV, or an individual with sickle cell anemia, either directly, by reference to other publicly available information, or through verification of such an identification by another person; and

(ii) Is provided or obtained for the purpose of treating alcohol or drug abuse, infection with the HIV, or sickle cell anemia, making a diagnosis for that treatment, or making a referral for that treatment as well as for education, training, evaluation, rehabilitation and research program or activity purposes.

(2) *Restriction on use.* The restriction on use of information to initiate or substantiate any criminal charges against a patient or to conduct any criminal investigation of a patient applies to any information, whether or not recorded, which is maintained for the purpose of treating drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia, making a diagnosis for that treatment, or making a referral for that treatment as well as for education, training, evaluation, rehabilitation, and research program or activity purposes.

(b) *Period covered as affecting applicability.* The provisions of §§ 1.460 through 1.499 of this part apply to records of identity, diagnosis, prognosis, or treatment pertaining to any given individual maintained over any period of time which, irrespective of when it begins, does not end before March 21, 1972, in the case of diagnosis or treatment for drug abuse; or before May 14, 1974, in the case of diagnosis or treatment for alcoholism or alcohol abuse; or before September 1, 1973, in the case of testing, diagnosis or treatment of sickle cell anemia; or before May 20, 1988, in the case of testing, diagnosis or treatment for an infection with the HIV.

(c) *Exceptions.*— (1) *Department of Veterans Affairs and Armed Forces.* The restrictions on disclosure in §§ 1.460 through 1.499 of this part do not apply to communications of information between or among those components of VA who have a need for the information in connection with their duties in the provision of health care, adjudication of benefits, or in carrying out administrative responsibilities related to those functions, including personnel of the Office of the Inspector General who are conducting audits or evaluations, or between such components and the Armed Forces, of records pertaining to a person relating to a period when such person is or was subject to the Uniform Code of Military Justice. Similarly, the restrictions on disclosure in § 1.460 through 1.499 of this part do not apply

to communications of information to the Department of Justice or U.S. Attorneys who are providing support in litigation or possible litigation involving VA.

(2) *Contractor.* The restrictions on disclosure in §§ 1.460 through 1.499 of this part do not apply to communications between VA and a contractor of information needed by the contractor to provide his or her services.

(3) *Crimes on VA premises or against VA personnel.* The restrictions on disclosure and use in §§ 1.460 through 1.499 of this part do not apply to communications from VA personnel to law enforcement officers which—

(i) Are directly related to a patient's commission of a crime on the premises of the facility or against personnel of VA or to a threat to commit such a crime; and

(ii) Are limited to the circumstances of the incident, including the patient status of the individual committing or threatening to commit the crime, that individual's name and address to the extent authorized by 38 U.S.C. 5701(f)(2), and that individual's last known whereabouts.

(4) *Undercover agents and informants.* (i) Except as specifically authorized by a court order granted under § 1.495 of this part, VA may not knowingly employ, or admit as a patient, any undercover agent or informant in any VA drug abuse, alcoholism or alcohol abuse, HIV infection, or sickle cell anemia treatment program.

(ii) No information obtained by an undercover agent or informant, whether or not that undercover agent or informant is placed in a VA drug abuse, alcoholism or alcohol abuse, HIV infection, or sickle cell anemia treatment program pursuant to an authorizing court order, may be used to criminally investigate or prosecute any patient unless authorized pursuant to the provisions of § 1.493 of this part.

(iii) The enrollment of an undercover agent or informant in a treatment unit shall not be deemed a violation of this section if the enrollment is solely for the purpose of enabling the individual to obtain treatment for drug or alcohol abuse, HIV infection, or sickle cell anemia.

(d) *Applicability to recipients of information.*—(1) *Restriction on use of information.* In the absence of a proper § 1.493 court order, the restriction on the use of any information subject to §§ 1.460 through 1.499 of this part to initiate or substantiate any criminal charges against a patient or to conduct any criminal investigation of a patient applies to any person who obtains that information from VA, regardless of the status of the person obtaining the information or of whether the information was obtained in accordance with §§ 1.460 through 1.499 of this part. This restriction on use bars, among other things, the introduction of that information as evidence in a criminal proceeding and any other use of the information to investigate or prosecute a patient with respect to a suspected crime. Information obtained by undercover agents or informants (see paragraph (c) of this section) or through patient access (see § 1.469 of this part) is subject to the restriction on use.

(2) *Restrictions on disclosures—third-party payers and others.* The restrictions on disclosure in §§ 1.460 through 1.499 of this part apply to third-party payers and persons who, pursuant to a consent, receive patient records directly from VA and who are notified of the restrictions on redisclosure of the records in accordance with § 1.476 of this part.

(Authority: 38 U.S.C. 7332(e) and 7334)

§ 1.462 Confidentiality restrictions.

(a) *General.* The patient records to which §§ 1.460 through 1.499 of this part apply may be disclosed or used only as permitted by these regulations and may not otherwise be disclosed or used in any civil, criminal, administrative, or legislative proceedings conducted by any Federal, State, or local authority. Any disclosure made under these regulations must be limited to that information which is necessary to carry out the purpose of the disclosure.

(b) *Unconditional compliance required.* The restrictions on disclosure and use in §§ 1.460 through 1.499 of this part apply whether the person seeking the information already has it, has other means of obtaining it, is a law enforcement or other official, has obtained a subpoena, or asserts any other justification for a disclosure or use which is not permitted by §§ 1.460 through 1.499 of this part. These provisions do not prohibit VA from acting accordingly when there is no disclosure of information.

(c) *Acknowledging the presence of patients: responding to requests.* (1) The presence of an identified patient in a VA facility for the treatment or other VA program activity relating to drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia may be acknowledged only if the patient's written consent is obtained in accordance with § 1.475 of this part or if an authorizing court order is entered in accordance with §§ 1.490 through 1.499 of this part. Acknowledgement of the presence of an identified patient in a facility is permitted if the acknowledgement does not reveal that the patient is being treated for or is otherwise involved in a VA program or activity concerning drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia.

(2) Any answer to a request for a disclosure of patient records which is not permissible under §§ 1.460 through 1.499 of this part must be made in a way that will not affirmatively reveal that an identified individual has been, or is beihg diagnosed or treated for drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia. These regulations do not restrict a disclosure that an identified individual is not and never has been a patient.

(Authority: 38 U.S.C. 7334)

§ 1.463 Criminal penalty for violations.

Under 38 U.S.C. 7332(g), any person who violates any provision of this statute or §§ 1.460 through 1.499 of this part shall be fined not more than $5,000 in the case of a first offense, and not more than $20,000 for a subsequent offense.

(Authority: 38 U.S.C. 7332(g))

§ 1.464 Minor patients.

(a) *Definition of minor.* As used in §§ 1.460 through 1.499 of this part the term "minor" means a person who has not attained the age of majority specified in the applicable State law, or if no age of majority is specified in the applicable State law, the age of eighteen years.

(b) *State law not requiring parental consent to treatment.* If a minor patient acting alone has the legal capacity under the applicable State law to apply for and obtain treatment for drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia, any written consent for disclosure authorized under § 1.475 of this part may be given only by the minor patient. This restriction includes, but is not limited to, any disclosure of patient identifying information to the parent or guardian of a minor patient for the purpose of obtaining financial reimbursement. Sections 1.460 through 1.499 of this part do not prohibit a VA facility from refusing to provide nonemergent treatment to an otherwise ineligible minor patient until the minor patient consents to the disclosure necessary to obtain reimbursement for services from a third party payer.

(c) *State law requiring parental consent to treatment.* (1) Where State law requires consent of a parent, guardian, or other person for a minor to obtain treatment for drug abuse,

alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia, any written consent for disclosure authorized under § 1.475 of this part must be given by both the minor and his or her parent, guardian, or other person authorized under State law to act in the minor's behalf.

(2) Where State law requires parental consent to treatment, the fact of a minor's application for treatment may be communicated to the minor's parent, guardian, or other person authorized under State law to act in the minor's behalf only if:

(i) The minor has given written consent to the disclosure in accordance with § 1.475 of this part; or

(ii) The minor lacks the capacity to make a rational choice regarding such consent as judged by the appropriate VA facility director under paragraph (d) of this section.

(d) *Minor applicant for service lacks capacity for rational choice.* Facts relevant to reducing a threat to the life or physical well being of the applicant or any other individual may be disclosed to the parent, guardian, or other person authorized under State law to act in the minor's behalf if the appropriate VA facility director judges that:

(1) A minor applicant for services lacks capacity because of extreme youth or mental or physical condition to make a rational decision on whether to consent to a disclosure under § 1.475 of this part to his or her parent, guardian, or other person authorized under State law to act in the minor's behalf, and

(2) The applicant's situation poses a substantial threat to the life or physical well-being of the applicant or any other individual which may be reduced by communicating relevant facts to the minor's parent, guardian, or other person authorized under State law to act in the minor's behalf.

(Authority: 38 U.S.C. 7334)

§ 1.465 Incompetent and deceased patients.

(a) *Incompetent patients other than minors.* In the case of a patient who has been adjudicated as lacking the capacity, for any reason other than insufficient age, to manage his or her own affairs, any consent which is required under §§ 1.460 through 1.499 of this part may be given by a court appointed legal guardian.

(b) *Deceased patients.*—(1) *Vital statistics.* Sec. 1.460 through 1.499 of this part do not restrict the disclosure of patient identifying information relating to the cause of death of a patient under laws requiring the collection of death or other vital statistics or permitting inquiry into the cause of death.

(2) *Consent by personal representative.* Any other disclosure of information identifying a deceased patient as being treated for drug abuse, alcoholism or alcohol abuse, infection with the HIV, or sickle cell anemia is subject to §§ 1.460 through 1.499 of this part. If a written consent to the disclosure is required, the Under Secretary for Health or designee may, upon the prior written request of the next of kin, executor/executrix, administrator/administratrix, or other personal representative of such deceased patient, disclose the contents of such records, only if the Under Secretary for Health or designee determines such disclosure is necessary to obtain survivorship benefits for the deceased patient's survivor. This would include not only VA benefits, but also payments by the Social Security Administration, Worker's Compensation Boards or Commissions, or other Federal, State, or local government agencies, or nongovernment entities, such as life insurance companies. Information related to sickle cell anemia may be released to a blood relative of a deceased veteran for medical follow-up or family planning purposes.

(Authority: 38 U.S.C. 7332(b)(3))

§ 1.466 Security for records.

(a) Written records which are subject to §§ 1.460 through 1.499 of this part must be maintained in a secure room, locked file cabinet, safe or other similar container when not in use. Access to information stored in computers will be limited to authorized VA employees who have a need for the information in performing their duties. These security precautions shall be consistent with the Privacy Act of 1974 (5 U.S.C. 552a).

(b) Each VA facility shall adopt in writing procedures related to the access to and use of records which are subject to §§ 1.460 through 1.499 of this part.

(Authority: 38 U.S.C. 7334)

§ 1.467 Restrictions on the use of identification cards and public signs.

(a) No facility may require any patient to carry on their person while away from the facility premises any card or other object which would identify the patient as a participant in any VA drug abuse, alcoholism or alcohol abuse, HIV infection, or sickle cell anemia treatment program. A facility may require patients to use or carry cards or other identification objects on the premises of a facility. Patients may not be required to wear clothing or colored identification bracelets or display objects openly to all facility staff or others which would identify them as being treated for drug or alcohol abuse, HIV infection, or sickle cell anemia.

(b) Treatment locations should not be identified by signs that would identify individuals entering or exiting these locations as patients enrolled in a drug or alcohol abuse, HIV infection, or sickle cell anemia program or activity.

(Authority: 38 U.S.C. 7334)

§ 1.468 Relationship to Federal statutes protecting research subjects against compulsory disclosure of their identity.

(a) *Research privilege description.* There may be concurrent coverage of patient identifying information by the provisions of §§ 1.460 through 1.499 of this part and by administrative action taken under sec. 303(a) of the Public Health Service Act (42 U.S.C. 241(d) and the implementing regulations at 42 CFR part 2a); or sec. 502(c) of the Controlled Substances Act (21 U.S.C. 872(c) and the implementing regulations at 21 CFR 1316.21). These "research privilege" statutes confer on the Secretary of Health and Human Services and on the Attorney General, respectively, the power to authorize researchers conducting certain types of research to withhold from all persons not connected with the research the names and other identifying information concerning individuals who are the subjects of the research.

(b) *Effect of concurrent coverage.* Sections 1.460 through 1.499 of this part restrict the disclosure and use of information about patients, while administrative action taken under the research privilege statutes and implementing regulations protects a person engaged in applicable research from being compelled to disclose any identifying characteristics of the individuals who are the subjects of that research. The issuance under §§ 1.490 through 1.499 of this part of a court order authorizing a disclosure of information about a patient does not affect an exercise of authority under these research privilege statutes. However, the research privilege granted under 21 CFR 291.505(g) to treatment programs using methadone for maintenance treatment does not protect from compulsory disclosure any information which is permitted to be disclosed under those regulations. Thus, if a court order entered in accordance with §§ 1.490 through 1.499 of this part authorizes a VA facility to disclose certain information about its patients, the facility may not invoke the research privilege under 21 CFR 291.505(g) as a defense to a subpoena for that information.

(Authority: 38 U.S.C. 7334)

§ 1.469 Patient access and restrictions on use.

(a) *Patient access not prohibited.* Sections 1.460 through 1.499 of this part do not prohibit a facility from giving a patient access to his or her own records, including the opportunity to inspect and copy any records that VA maintains about the patient, subject to the provisions of the Privacy Act (5 U.S.C. 552a(d)(1)) and 38 CFR 1.577. If the patient is accompanied, giving access to the patient and the accompanying person will require a written consent by the patient which is provided in accordance with § 1.475 of this part.

(b) *Restrictions on use of information.* Information obtained by patient access to patient record is subject to the restriction on use of this information to initiate or substantiate any criminal charges against the patient or to conduct any criminal investigation of the patient as provided for under § 1.461(d)(1) of this part.

(Authority: 38 U.S.C. 7334)

§§ 1.470–1.474 [Reserved]

Disclosures With Patient's Consent

§ 1.475 Form of written consent.

(a) *Required elements.* A written consent to a disclosure under §§ 1.460 through 1.499 of this part must include:

(1) The name of the facility permitted to make the disclosure (such a designation does not preclude the release of records from other VA health care facilities unless a restriction is stated on the consent).

(2) The name or title of the individual or the name of the organization to which disclosure is to be made.

(3) The name of the patient.

(4) The purpose of the disclosure.

(5) How much and what kind of information is to be disclosed.

(6) The signature of the patient and, when required for a patient who is a minor, the signature of a person authorized to give consent under § 1.464 of this part; or, when required for a patient who is incompetent or deceased, the signature of a person authorized to sign under § 1.465 of this part in lieu of the patient.

(7) The date on which the consent is signed.

(8) A statement that the consent is subject to revocation at any time except to the extent that the facility which is to make the disclosure has already acted in reliance on it. Acting in reliance includes the provision of treatment services in reliance on a valid consent to disclose information to a third party payer.

(9) The date, event, or condition upon which the consent will expire if not revoked before. This date, event, or condition must ensure that the consent will last no longer than reasonably necessary to serve the purpose for which it is given.

(b) *Expired, deficient, or false consent.* A disclosure may not be made on the basis of a consent which:

(1) Has expired;

(2) On its face substantially fails to conform to any of the requirements set forth in paragraph (a) of this section;

(3) Is known to have been revoked; or

(4) Is known, or through a reasonable effort could be known, by responsible personnel of VA to be materially false.

(c) *Notification of deficient consent.* Other than the patient, no person or entity may be advised that a special consent is required in order to disclose information relating to an individual participating in a drug abuse, alcoholism or alcohol abuse, HIV, or sickle cell anemia program or activity. Where a person or entity presents VA with an insufficient written consent for information protected by 38 U.S.C. 7332, VA must, in the process of obtaining a legally sufficient consent, correspond only with the patient whose records are involved, or the legal guardian of an incompetent patient or next of kin of a deceased patient, and not with any other person.

(d) It is not necessary to use any particular form to establish a consent referred to in paragraph (a) of this section, however, VA Form 10–5345, titled Request for and Consent to Release of Medical Records Protected by 38 U.S.C. 7332, may be used for such purpose.

(Authority: 38 U.S.C. 7332(a)(2) and (b)(1))

§ 1.476 Prohibition on redisclosure.

Each disclosure under §§ 1.460 through 1.499 of this part made with the patient's written consent must be accompanied by a written statement similar to the following: This information has been disclosed to you from records protected by Federal confidentiality rules (38 CFR part 1). The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 38 CFR part 1. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient or patient with sickle cell anemia or HIV infection.

(Authority: 38 U.S.C. 7334)

§ 1.477 Disclosures permitted with written consent.

If a patient consents to a disclosure of his or her records under § 1.475 of this part, a facility may disclose those records in accordance with that consent to any individual or organization named in the consent, except that disclosures to central registries and in connection with criminal justice referrals must meet the requirements of §§ 1.478 and 1.479 of this part, respectively.

(Authority: 38 U.S.C. 7332(b)(1))

§ 1.478 Disclosures to prevent multiple enrollments in detoxification and maintenance treatment programs; not applicable to records relating to sickle cell anemia or infection with the HIV.

(a) *Definitions.* For purposes of this section:

(1) *Central registry* means an organization which obtains from two or more member programs patient identifying information about individuals applying for maintenance treatment or detoxification treatment for the purpose of avoiding an individual's concurrent enrollment in more than one program.

(2) *Detoxification treatment* means the dispensing of a narcotic drug in decreasing doses to an individual in order to reduce or eliminate adverse physiological or psychological effects incident to withdrawal from the sustained use of a narcotic drug.

(3) *Maintenance treatment* means the dispensing of a narcotic drug in the treatment of an individual for dependence upon heroin or other morphine-like drugs.

(4) *Member program* means a non-VA detoxification treatment or maintenance treatment program which reports patient identifying information to a central registry and which is in the same State as that central registry or is not more than 125 miles from any border of the State in which the central registry is located.

(b) *Restrictions on disclosure.* VA may disclose patient records to a central registry which is located in the same State or is not more than 125 miles from any border of the State or to any non-VA detoxification or maintenance treatment program not more than 200 miles away for the purpose of preventing the multiple enrollment of a patient only if:

(1) The disclosure is made when:

(i) The patient is accepted for treatment;

(ii) The type or dosage of the drug is changed; or

(iii) The treatment is interrupted, resumed or terminated.

(2) The disclosure is limited to:
(i) Patient identifying information;
(ii) Type and dosage of the drug; and
(iii) Relevant dates.
(3) The disclosure is made with the patient's written consent meeting the requirements of § 1.475 of this part, except that:
(i) The consent must list the name and address of each central registry and each known non-VA detoxification or maintenance treatment program to which a disclosure will be made; and
(ii) The consent may authorize a disclosure to any non-VA detoxification or maintenance treatment program established within 200 miles after the consent is given without naming any such program.
(c) *Use of information limited to prevention of multiple enrollments.* A central registry and any non-VA detoxification or maintenance treatment program to which information is disclosed to prevent multiple enrollments may not redisclose or use patient identifying information for any purpose other than the prevention of multiple enrollments unless authorized by a court order under §§ 1.490 through 1.499 of this part.

(Authority: 38 U.S.C. 7334)

§ 1.479 Disclosures to elements of the criminal justice system which have referred patients.

(a) VA may disclose information about a patient from records covered by §§ 1.460 through 1.499 of this part to those persons within the criminal justice system which have made participation in a VA treatment program a condition of the disposition of any criminal proceedings against the patient or of the patient's parole or other release from custody if:
(1) The disclosure is made only to those individuals within the criminal justice system who have a need for the information in connection with their duty to monitor the patient's progress (e.g., a prosecuting attorney who is withholding charges against the patient, a court granting pretrial or posttrial release, probation or parole officers responsible for supervision of the patient); and
(2) The patient has signed a written consent as a condition of admission to the treatment program meeting the requirements of § 1.475 of this part (except paragraph (a)(8) which is inconsistent with the revocation provisions of paragraph (c) of this section) and the requirements of paragraphs (b) and (c) of this section.
(b) *Duration of consent.* The written consent must state the period during which it remains in effect. This period must be reasonable, taking into account:
(1) The anticipated length of the treatment recognizing that revocation of consent may not generally be effected while treatment is ongoing;
(2) The type of criminal proceeding involved, the need for the information in connection with the final disposition of that proceeding, and when the final disposition will occur; and
(3) Such other factors as the facility, the patient, and the person(s) who will receive the disclosure consider pertinent.
(c) *Revocation of consent.* The written consent must state that it is revocable upon the passage of a specified amount of time or the occurrence of a specified, ascertainable event. The time or occurrence upon which consent becomes revocable may be no earlier than the individual's completion of the treatment program and no later than the final disposition of the conditional release or other action in connection with which consent was given.
(d) *Restrictions on redisclosure and use.* A person who receives patient information under this section may redisclose and use it only to carry out that person's official duties with regard to the patient's conditional release or other action in connection with which the consent was given, including parole.

(Authority: 38 U.S.C. 7334)

§§ 1.480–1.484 [Reserved]

Disclosures Without Patient Consent

§ 1.485 Medical emergencies.

(a) *General rule.* Under the procedures required by paragraph (c) of this section, patient identifying information from records covered by §§ 1.460 through 1.499 of this part may be disclosed to medical personnel who have a need for information about a patient for the purpose of treating a condition which poses an immediate threat to the health of any individual and which requires immediate medical intervention.
(b) *Special rule.* Patient identifying information may be disclosed to medical personnel of the Food and Drug Administration (FDA) who assert a reason to believe that the health of any individual may be threatened by an error in the manufacture, labeling, or sale of a product under FDA jurisdiction, and that the information will be used for the exclusive purpose of notifying patients or their physicians of potential dangers.
(c) *Procedures.* Immediately following disclosure, any VA employee making an oral disclosure under authority of this section shall make an accounting of the disclosure in accordance with the Privacy Act (5 U.S.C. 552a(c) and 38 CFR 1.576(c)) and document the disclosure in the patient's records setting forth in writing:
(1) The name and address of the medical personnel to whom disclosure was made and their affiliation with any health care facility;
(2) The name of the individual making the disclosure;
(3) The date and time of the disclosure;
(4) The nature of the emergency (or error, if the report was to FDA);
(5) The information disclosed; and
(6) The authority for making the disclosure (§ 1.485 of this part).

(Authority: 38 U.S.C. 7332(b)(2)(A))

§ 1.486 Disclosure of information related to infection with the human immunodeficiency virus to public health authorities.

(a) In the case of any record which is maintained in connection with the performance of any program or activity relating to infection with the HIV, information may be disclosed to a Federal, State, or local public health authority, charged under Federal or State law with the protection of the public health, and to which Federal or State law requires disclosure of such record, if a qualified representative of such authority has made a written request that such record be provided as required pursuant to such law for a purpose authorized by such law. In the case of a State law, such law must, in order for VA to be able to release patient name and address information in accordance with 38 U.S.C. 5701(f)(2), provide for a penalty or fine or other sanction to be assessed against those individuals who are subject to the jurisdiction of the public health authority but fail to comply with the reporting requirements.
(b) A person to whom a record is disclosed under this section may not redisclose or use such record for a purpose other than that for which the disclosure was made.

(Authority: 38 U.S.C. 7332(b)(2)(C))

§ 1.487 Disclosure of information related to infection with the human immunodeficiency virus to the spouse or sexual partner of the patient.

(a) Subject to paragraph (b) of this section, a physician or a professional counselor may disclose information or records indicating that a patient is infected with the HIV if the disclosure is made to the spouse of the patient, or to an individual whom the patient has, during the process of professional counselling or of testing to determine

whether the patient is infected with such virus, identified as being a sexual partner of such patient.

(b) A disclosure under this section may be made only if the physician or counselor, after making reasonable efforts to counsel and encourage the patient to provide the information to the spouse or sexual partner, reasonably believes that the patient will not provide the information to the spouse or sexual partner and that the disclosure is necessary to protect the health of the spouse or sexual partner.

(c) A disclosure under this section may be made by a physician or counselor other than the physician or counselor referred to in paragraph (b) of this section if such physician or counselor is unavailable by reason of extended absence or termination of employment to make the disclosure.

(Authority: 38 U.S.C. 7332(b))

§ 1.488 Research activities.

Subject to the provisions of 38 U.S.C. 5701, 38 CFR 1.500–1.527, the Privacy Act (5 U.S.C. 552a), 38 CFR 1.575–1.584 and the following paragraphs, patient medical record information covered by §§ 1.460 through 1.499 of this part may be disclosed for the purpose of conducting scientific research.

(a) Information in individually identifiable form may be disclosed from records covered by §§ 1.460 through 1.499 of this part for the purpose of conducting scientific research if the Under Secretary for Health or designee makes a determination that the recipient of the patient identifying information:

(1) Is qualified to conduct the research;

(2) Has a research protocol under which the information:

(i) Will be maintained in accordance with the security requirements of § 1.466 of this part (or more stringent requirements); and

(ii) Will not be redisclosed except as permitted under paragraph (b) of this section, and;

(3) Has furnished a written statement that the research protocol has been reviewed by an independent group of three or more individuals who found that the rights of patients would be adequately protected and that the potential benefits of the research outweigh any potential risks to patient confidentiality posed by the disclosure of records.

(b) A person conducting research may disclose information obtained under paragraph (a) of this section only back to VA and may not identify any individual patient in any report of that research or otherwise disclose patient identities.

(Authority: 38 U.S.C. 7332(b)(2)(B))

§ 1.489 Audit and evaluation activities.

Subject to the provisions of 38 U.S.C. 5701, 38 CFR 1.500–1.527, the Privacy Act (5 U.S.C. 552a), 38 CFR 1.575–1.584, and the following paragraphs, patient medical records covered by §§ 1.460 through 1.499 of this part may be disclosed outside VA for the purposes of conducting audit and evaluation activities.

(a) *Records not copied.* If patient records covered by §§ 1.460 through 1.499 of this part are not copied, patient identifying information may be disclosed in the course of a review of records on VA facility premises to any person who agrees in writing to comply with the limitations on redisclosure and use in paragraph (d) of this section and:

(1) Where audit or evaluation functions are performed by a State or Federal governmental agency on behalf of VA; or

(2) Who is determined by the VA facility director to be qualified to conduct the audit or evaluation activities.

(b) *Copying of records.* Records containing patient identifying information may be copied by any person who:

(1) Agrees in writing to:

(i) Maintain the patient identifying information in accordance with the security requirements provided in § 1.466 of this part (or more stringent requirements);

(ii) Destroy all the patient identifying information upon completion of the audit or evaluation; and

(iii) Comply with the limitations on disclosure and use in paragraph (d) of this section; and

(2) Who is determined by the VA medical facility Director to be qualified to conduct the audit or evaluation activities.

(c) *Congressional oversight.* Records subject to §§ 1.460 through 1.499 of this part shall be released to congressional committees or subcommittees for program oversight and evaluation if such records pertain to any matter within the jurisdiction of such committee or subcommittee.

(d) *Limitation on disclosure and use.* Records containing patient identifying information disclosed under this section may be disclosed only back to VA and used only to carry out an audit or evaluation purpose, or, to investigate or prosecute criminal or other activities as authorized by a court order entered under § 1.494 of this part.

(Authority: 38 U.S.C. 7332(b)(2)(B))

Court Orders Authorizing Disclosures and Use

§ 1.490 Legal effect of order.

The records to which §§ 1.460 through 1.499 of this part apply may be disclosed if authorized by an appropriate order of a court of competent jurisdiction (either Federal or State) granted after application showing good cause therefore. In assessing good cause the court is statutorily required to weigh the public interest and the need for disclosure against the injury to the patient or subject, to the physician-patient relationship, and to the treatment services. Upon the granting of such order, the court, in determining the extent to which any disclosure of all or any part of any record is necessary, is required by statute to impose appropriate safeguards against unauthorized disclosure. An order of a court of competent jurisdiction, Federal or State, to produce records subject to §§ 1.460 through 1.499 of this part will not be sufficient unless the order reflects that the court has complied with the requirements of 38 U.S.C. 7332(b)(2)(D). Such an order from a Federal court compels disclosure. However, such an order from a State court only acts to authorize the Secretary to exercise discretion pursuant to 38 U.S.C. 5701(b)(5) and 38 CFR 1.511 to disclose such records. It does not compel disclosure.

(Authority: 38 U.S.C. 7332(b)(2)(D))

§ 1.491 Order not applicable to records disclosed without consent to researchers, auditors and evaluators.

A court order under §§ 1.460 through 1.499 of this part may not authorize qualified personnel, who have received patient identifying information from VA without consent for the purpose of conducting research, audit or evaluation, to disclose that information or use it to conduct any criminal investigation or prosecution of a patient. However, a court order under § 1.494 of this part may authorize disclosure and use of records to investigate or prosecute VA personnel.

(Authority: 38 U.S.C. 7334)

§ 1.492 Procedures and criteria for orders authorizing disclosures for noncriminal purposes.

(a) *Application.* An order authorizing the disclosure of patient records covered by §§ 1.460 through 1.499 of this part for purposes other than criminal investigation or prosecution may be applied for by any person having a legally recognized interest in the disclosure which is sought. The application may be filed separately or as

part of a pending civil action in which it appears that the patient records are needed to provide evidence. An application must use a fictitious name, such as John Doe, to refer to any patient and may not contain or otherwise disclose any patient identifying information unless the patient is the applicant or has given a written consent (meeting the requirements of § 1.475 of this part) to disclosure or the court has ordered the record of the proceeding sealed from public scrunity.

(b) *Notice.* The patient and VA facility from whom disclosure is sought must be given:

(1) Adequate notice in a manner which will not disclose patient identifying information to other persons; and

(2) An opportunity to file a written response to the application, or to appear in person, for the limited purpose of providing evidence on whether the statutory and regulatory criteria for the issuance of the court order are met.

(c) *Review of evidence: Conduct of hearing.* Any oral argument, review of evidence, or hearing on the application must be held in the judge's chambers or in some manner which ensures that patient identifying information is not disclosed to anyone other than a party to the proceeding, the patient, or VA, unless the patient requests an open hearing in a manner which meets the written consent requirements of § 1.475 of this part. The proceeding may include an examination by the judge of the patient records referred to in the application.

(d) *Criteria for entry of order.* An order under this section may be entered only if the court determines that good cause exists. To make this determination the court must find that:

(1) Other ways of obtaining the information are not available or would not be effective; and

(2) The public interest and need for the disclosure outweigh the potential injury to the patient, the physician-patient relationship and the treatment services.

(e) *Content of order.* An order authorizing a disclosure must:

(1) Limit disclosure to those parts of the patient's record which are essential to fulfill the objective of the order;

(2) Limit disclosure to those persons whose need for information is the basis for the order; and

(3) Include such other measures as are necessary to limit disclosure for the protection of the patient, the physician-patient relationship and the treatment services; for example, sealing from public scrutiny the record of any proceeding for which disclosure of a patient's record has been ordered.

(Authority: 38 U.S.C. 7334)

§ 1.493 Procedures and criteria for orders authorizing disclosure and use of records to criminally investigate or prosecute patients.

(a) *Application.* An order authorizing the disclosure or use of patient records covered by §§ 1.460 through 1.499 of this part to criminally investigate or prosecute a patient may be applied for by VA or by any person conducting investigative or prosecutorial activities with respect to the enforcement of criminal laws. The application may be filed separately, as part of an application for a subpoena or other compulsory process, or in a pending criminal action. An application must use a fictitious name such as John Doe, to refer to any patient and may not contain or otherwise disclose patient identifying information unless the court has ordered the record of the proceeding sealed from public scrutiny.

(b) *Notice and hearing.* Unless an order under § 1.494 of this part is sought with an order under this section, VA must be given:

(1) Adequate notice (in a manner which will not disclose patient identifying information to third parties) of an application by a person performing a law enforcement function;

(2) An opportunity to appear and be heard for the limited purpose of providing evidence on the statutory and regulatory criteria for the issuance of the court order; and

(3) An opportunity to be represented by counsel.

(c) *Review of evidence: Conduct of hearings.* Any oral argument, review of evidence, or hearing on the application shall be held in the judge's chambers or in some other manner which ensures that patient identifying information is not disclosed to anyone other than a party to the proceedings, the patient, or VA. The proceeding may include an examination by the judge of the patient records referred to in the application.

(d) *Criteria.* A court may authorize the disclosure and use of patient records for the purpose of conducting a criminal investigation or prosecution of a patient only if the court finds that all of the following criteria are met:

(1) The crime involved is extremely serious, such as one which causes or directly threatens loss of life or serious bodily injury including homicide, rape, kidnapping, armed robbery, assault with a deadly weapon, and child abuse and neglect.

(2) There is a reasonable likelihood that the records will disclose information of substantial value in the investigation or prosecution.

(3) Other ways of obtaining the information are not available or would not be effective.

(4) The potential injury to the patient, to the physician-patient relationship and to the ability of VA to provide services to other patients is outweighed by the public interest and the need for the disclosure.

(5) If the applicant is a person performing a law enforcement function, VA has been represented by counsel independent of the applicant.

(e) *Content of order.* Any order authorizing a disclosure or use of patient records under this section must:

(1) Limit disclosure and use to those parts of the patient's record which are essential to fulfill the objective of the order;

(2) Limit disclosure to those law enforcement and prosecutorial officials who are responsible for, or are conducting, the investigation or prosecution, and limit their use of the records to investigation and prosecution of extremely serious crime or suspected crime specified in the applications; and

(3) Include such other measures as are necessary to limit disclosure and use to the fulfillment on only that public interest and need found by the court.

(Authority: 38 U.S.C. 7332(c))

§ 1.494 Procedures and criteria for orders authorizing disclosure and use of records to investigate or prosecute VA or employees of VA.

(a) *Application.* (1) An order authorizing the disclosure or use of patient records covered by §§ 1.460 through 1.499 of this part to criminally or administratively investigate or prosecute VA (or employees or agents of VA) may be applied for by an administrative, regulatory, supervisory, investigative, law enforcement, or prosecutorial agency having jurisdiction over VA activities.

(2) The application may be filed separately or as part of a pending civil or criminal action against VA (or agents or employees of VA) in which it appears that the patient records are needed to provide material evidence. The application must use a fictitious name, such as John Doe, to refer to any patient and may not contain or otherwise disclose any patient identifying information unless the court has ordered the record of the proceeding sealed from public scrutiny or the patient has given a written consent (meeting the requirements of § 1.475 of this part) to that disclosure.

(b) *Notice not required.* An application under this section may, in

the discretion of the court, be granted without notice. Although no express notice is required to VA or to any patient whose records are to be disclosed, upon implementation of an order so granted VA or the patient must be afforded an opportunity to seek revocation or amendment of that order, limited to the presentation of evidence on the statutory and regulatory criteria for the issuance of the court order.

(c) *Requirements for order.* An order under this section must be entered in accordance with, and comply with the requirements of, § 1.492(d) and (e) of this part.

(d) *Limitations on disclosure and use of patient identifying information.* (1) An order entered under this section must require the deletion of patient identifying information from any documents made available to the public.

(2) No information obtained under this section may be used to conduct any investigation or prosecution of a patient, or be used as the basis for an application for an order under § 1.493 of this part.

(Authority: 38 U.S.C. 7334)

§ 1.495 Orders authorizing the use of undercover agents and informants to criminally investigate employees or agents of VA.

(a) *Application.* A court order authorizing the placement of an undercover agent or informant in a VA drug or alcohol abuse, HIV infection, or sickle cell anemia treatment program as an employee or patient may be applied for by any law enforcement or prosecutorial agency which has reason to believe that employees or agents of the VA treatment program are engaged in criminal misconduct.

(b) *Notice.* The VA facility director must be given adequate notice of the application and an opportunity to appear and be heard (for the limited purpose of providing evidence on the statutory and regulatory criteria for the issuance of the court order), unless the application asserts a belief that:

(1) The VA facility director is involved in the criminal activities to be investigated by the undercover agent or informant; or

(2) The VA facility director will intentionally or unintentionally disclose the proposed placement of an undercover agent or informant to the employees or agents who are suspected of criminal activities.

(c) *Criteria.* An order under this section may be entered only if the court determines that good cause exists. To make this determination the court must find:

(1) There is reason to believe that an employee or agent of a VA treatment program is engaged in criminal activity;

(2) Other ways of obtaining evidence of this criminal activity are not available or would not be effective; and

(3) The public interest and need for the placement of an undercover agent or informant in the VA treatment program outweigh the potential injury to patients of the program, physician-patient relationships and the treatment services.

(d) *Content of order.* An order authorizing the placement of an undercover agent or informant in a VA treatment program must:

(1) Specifically authorize the placement of an undercover agent or an informant;

(2) Limit the total period of the placement to six months;

(3) Prohibit the undercover agent or informant from disclosing any patient identifying information obtained from the placement except as necessary to criminally investigate or prosecute employees or agents of the VA treatment program; and

(4) Include any other measures which are appropriate to limit any potential disruption of the program by the placement and any potential for a real or apparent breach of patient confidentiality; for example, sealing from public scrutiny the record of any proceeding for which disclosure of a patient's record has been ordered.

(e) *Limitation on use of information.* No information obtained by an undercover agent or informant placed under this section may be used to criminally investigate or prosecute any patient or as the basis for an application for an order under § 1.493 of this part.

(Authority: 38 U.S.C. 7334)

§ 1.496–1.499 [Reserved]

§ 1.513 [Amended]

2. In § 1.513(b)(2) remove the words "Post Office Department" and add in their place, the words "U.S. Postal Service".

§ 1.513a [Removed]

3. Section 1.513a is removed.

[FR Doc. 93–17679 Filed 7–23–93; 8:45 am]
BILLING CODE 8320-01-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA–37–2–5758; FRL–4681–5]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: EPA is proposing a limited approval and limited disapproval of revisions to the California State Implementation Plan (SIP) adopted by the Sacramento Metropolitan Air Quality Management District (SMAQMD) on December 17, 1991. The California Air Resources Board submitted these revisions to EPA on June 19, 1992. The revisions concern SMAQMD's Rule 448, Gasoline Transfer into Stationary Storage Containers and Rule 449, Gasoline Transfer into Vehicle Fuel Tanks. Both rules control volatile organic compound (VOC) emissions from gasoline loading operations. The intended effect of proposing limited approval and limited disapproval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA's final action on this notice of proposed rulemaking (NPR) will incorporate these rules into the federally approved SIP. EPA has evaluated the revisions to Rules 448 and 449 and is proposing a limited approval under provisions of the CAA regarding EPA actions on SIP submittals and general rulemaking authority because these revisions strengthen the SIP. At the same time, EPA is proposing a limited disapproval under the CAA provisions cited above because the rules do not meet the CAA provisions regarding plan submissions and requirements for nonattainment areas.

DATES: Comments must be received on or before August 25, 1993.

ADDRESSES: Comments may be mailed to: Esther J. Hill, Rulemaking Section I (A–5–4), Air and Toxics Division, Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95812.

Sacramento Metropolitan Air Quality Management District, 8411 "K" Street, Sacramento, CA 95826.

FOR FURTHER INFORMATION CONTACT: William Davis, Rulemaking Section I (A–5–4), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744–1183.

SUPPLEMENTARY INFORMATION:

Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the 1977 Clean Air Act (1977 CAA or pre-amended Act), that included Sacramento County. 43 FR 8964; 40 CFR 81.305. Because Sacramento County was unable to reach attainment by the statutory attainment date of December 31, 1982, California requested under pre-amended section 172(a)(2), and EPA approved, an extension of the attainment date to December 31, 1987. 40 CFR 52.238. Sacramento County did not attain the ozone standard by the approved attainment date. On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the pre-amended Act, that SMAQMD's portion of the SIP was inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-Call). On November 15, 1990, amendments to the 1977 CAA were enacted. Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. sections 7401–7671q. In amended section 182(a)(2)(A) of the CAA, Congress statutorily adopted the requirement that nonattainment areas fix their deficient reasonably available control technology (RACT) rules for ozone and established a deadline of May 15, 1991 for states to submit corrections of those deficiencies.

Section 182(a)(2)(A) applies to areas designated as nonattainment prior to enactment of the amendments and classified as marginal or above as of the date of enactment. It requires such areas to adopt and correct RACT rules pursuant to pre-amended section 172(b) as interpreted in pre-amendment guidance.[1] EPA's SIP-Call used that guidance to indicate the necessary corrections for specific nonattainment areas. Sacramento County is classified as a serious nonattainment area;[2] therefore, this area was subject to the RACT fix-up requirement and the May 15, 1991 deadline.

On June 22, 1991, EPA, Region 9, notified the State of California that EPA had not received by the May 15, 1991 deadline all required VOC rule corrections under section 182(a)(2)(A) of the CAA. The finding letter identified six districts in California, including SMAQMD, that had failed to submit required rule corrections. The official finding notice was published in the **Federal Register** on October 22, 1991 (56 FR 54554). Five rules were listed for SMAQMD, including Rule 448. As a result, SMAQMD had 18 months to submit the five rules to EPA before a sanction would be imposed.

The State of California submitted many revised RACT rules to EPA for incorporation into its SIP on June 19, 1992, including the rules being acted on in this document. This document addresses EPA's proposed action for Rule 448, Gasoline Transfer into Stationary Storage Containers, and Rule 449, Transfer of Gasoline into Vehicle Fuel Tanks. These submitted rules were found to be complete on August 27, 1992, pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51, appendix V,[3] and are being proposed for limited approval and limited disapproval. The State's complete submittal of Rule 448 satisfies the deficiency for which the finding of nonsubmittal, dated October 22, 1991, was made and stopped the sanctions clock. However, the Federal implementation plan (FIP) clock will not stop until EPA approves the rule.

Rules 448 and 449 control the emission of volatile organic compounds (VOCs) contained in gasoline vapors displaced from storage tanks and vehicle fuel tanks during loading operations. VOCs contribute to the production of ground level ozone and smog. SMAQMD's Rules 448 and 449 were originally adopted as part of SMAQMD's effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone and have been revised in response to EPA's SIP-Call and the section 182(a)(2)(A) CAA requirement. The following is EPA's evaluation and proposed action for SMAQMD's Rules 448 and 449.

EPA Evaluation and Proposed Action

In determining the approvability of a VOC rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and Part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). The EPA interpretation of these requirements, which forms the basis for today's action, appears in the various EPA policy guidance documents listed in footnote 1. Among those provisions is the requirement that a VOC rule must, at a minimum, provide for the implementation of RACT for stationary sources of VOC emissions. This requirement was carried forth from the pre-amended Act.

For the purpose of assisting state and local agencies in developing RACT rules, EPA prepared a series of Control Technique Guideline (CTG) documents. The CTGs are based on the underlying requirements of the Act and specify the presumptive norms for what is RACT for specific source categories. Under the CAA, Congress ratified EPA's use of these documents, as well as other Agency policy, for requiring States to "fix-up" their RACT rules. See section 182(a)(2)(A). The CTGs applicable to Rule 448, Gasoline Transfer into Stationary Containers, are entitled "Control of Volatile Organic Emissions from Bulk Gasoline Plants", CTG EPA–450/2–77–035, and "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems", CTG EPA–450/2–78–051. There was no CTG available for guidance when Rule 449, Transfer of Gasoline into Vehicle Fuel Tanks, was developed and adopted by the District.[4] Further interpretations of EPA policy are found in the Blue Book. In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

SMAQMD's Rule 448, Gasoline Transfer into Stationary Storage Containers, includes the following revisions to the current SIP rule:

1. Four exemptions have been deleted.

[1] Among other things, the pre-amendment guidance consists of those portions of the proposed post–1987 ozone and carbon monoxide policy that concern RACT, 52 FR 45044 (November 24, 1987); "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations, Clarification to Appendix D of November 24, 1987 **Federal Register** Notice" (Blue Book) (notice of availability was published in the **Federal Register** on May 25, 1988); and the existing control technique guidelines (CTGs).

[2] SMAQMD retained its designation and was classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. See 56 FR 56694 (November 6, 1991).

[3] EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the amended Act, revised the criteria on August 26, 1991 (56 FR 42216).

[4] Guidance is currently available in a document entitled "Technical Guidance–Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities", Volumes I and II, EPA–450/3–91–022a and –022b. Any variance from this guidance was not considered a deficiency in acting on Rule 449.

2. A provision allowing the Control Officer to approve alternate emission control equipment has been deleted.

3. A provision prohibiting purging of gasoline vapors into the atmosphere has been added.

4. Provisions for special vapor control equipment have been added.

5. A provision for petitioning for continued exemption has been deleted.

6. A compliance schedule for facilities once exempted from the rule has been included.

7. Test methods for establishing compliance have been added.

SMAQMD's Rule 449, Transfer of Gasoline into Vehicle Fuel Tanks, includes the following revisions from the current SIP rule:

1. A number of term definitions have been added.

2. A provision applying the standards of the rule to intermediate fueler trucks has been added.

3. Provisions for maintenance procedures and details of equipment defects and the tagging of defective equipment to prevent it from being used have been added.

4. Provisions for the posting of operating instructions have been added.

5. Compliance schedules for equipment which were once exempted from the rule, such as intermediate fueler trucks, have been added.

6. Test methods for determining compliance with the rule have been added.

EPA has evaluated SMAQMD's submitted Rules 448 and 449 for consistency with the CAA, EPA regulations, and EPA policy and has found that the revisions address and correct many deficiencies previously identified by EPA. These corrected deficiencies have resulted in clearer, more enforceable rules. Furthermore, the deletion of a number of exemptions in submitted Rules 448 and 449 should lead to more emission reductions.

Although the SMAQMD's Rules 448 and 449 strengthen the SIP, these rules still contain deficiencies which were required to be corrected pursuant to the section 182(a)(2)(A) requirement of Part D of the CAA. Both rules allow the Control Officer to use "equivalent" test methods for determining compliance. This is considered to be a deficiency because the alternate methods may give inaccurate results.[5] A detailed discussion of each rule deficiency can be found in the Technical Support Documents for Rules 448 and 449, which are available from the U.S. EPA, Region 9 office. Because of these deficiencies, the rules are not approvable pursuant to the section 182(a)(2)(A) of the CAA because they are not consistent with the interpretation of section 172 of the 1977 CAA as found in the Blue Book and may lead to rule enforceability problems.

Because of the above deficiencies, EPA cannot grant full approval of these rules under section 110(k)(3) and Part D. Also, because the submitted rules are not composed of separable parts which meet all the applicable requirements of the CAA, EPA cannot grant partial approval of the rules under section 110(k)(3). However, EPA may grant a limited approval of the submitted rules under section 110(k)(3) in light of EPA's authority pursuant to section 301(a) to adopt regulations necessary to further air quality by strengthening the SIP. The approval is limited because EPA's action also contains a simultaneous limited disapproval. In order to strengthen the SIP, EPA is proposing a limited approval of SMAQMD's submitted Rules 448 and 449 under sections 110(k)(3) and 301(a) of the CAA.

At the same time, EPA is also proposing a limited disapproval of these rules because they contain deficiencies that have not been corrected as required by section 182(a)(2)(A) of the CAA, and, as such, the rules do not fully meet the requirements of Part D of the Act. Under section 179(a)(2), if the Administrator disapproves a submission under section 110(k) for an area designated nonattainment, based on the submission's failure to meet one or more of the elements required by the Act, the Administrator must apply one of the sanctions set forth in section 179(b) unless the deficiency has been corrected within 18 months of such disapproval. Section 179(b) provides two sanctions available to the Administrator: highway funding and offsets. The 18 month period referred to in section 179(a) will begin at the time EPA's final notice of this disapproval becomes effective. Moreover, the final disapproval triggers the FIP requirement under section 110(c). The FIP clock for Rule 448 began on October 22, 1991, when EPA made the finding of failure to submit and the clock has not been halted by EPA's action today. It should be noted that the rules covered by this NPR have been adopted by the SMAQMD and are currently in effect in the District. EPA's limited disapproval action in this NPR does not prevent SMAQMD or EPA from enforcing these rules.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. section 600 et. seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. sections 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises and government entities with jurisdiction over populations of less than 50,000.

Limited approvals under sections 110 and 301 and subchapter I, Part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. Union Electric Co. v. U.S. E.P.A., 427 U.S. 246, 256–66 (S.Ct. 1976); 42 U.S.C. section 7410 (a) (2).

EPA's limited disapproval of the State request under sections 110 and 301 and subchapter I, Part D of the CAA does not affect any existing requirements applicable to small entities. Federal limited disapproval of the state submittal does not affect its enforceability. Moreover, EPA's limited disapproval of the submittal does not impose any new Federal requirements. Therefore, EPA certifies that this limited disapproval action does not have a significant impact on a substantial number of small entities because it does not remove existing requirements nor does it impose any new Federal requirements.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget (OMB) waived Table 2 and Table 3 SIP revisions (54 FR

[5] A relaxation of the SIP was determined for Rule 449 because an exemption was added which was not present in the SIP rule. However, Rule 449 insures greater reduction of emissions and the relaxation is allowed (section 193 of the Act).

2222) from the requirements of Section 3 of Executive Order 12291 for a period of two years. EPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. OMB has agreed to continue the temporary waiver until such time as it rules on EPA's request.

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: July 8, 1993.

Nora L. McGee,

Acting Regional Administrator.

[FR Doc. 93–17714 Filed 7–23–93; 8:45 am]

BILLING CODE [illegible]

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101–25

Selecting Office Copying Machines

AGENCY: Federal Supply Service, GSA.

ACTION: Proposed rule.

SUMMARY: This notice invites written comments on a proposed amendment to the Federal Property Management Regulations (FPMR) that differentiates between "office copying machines" and "high-speed copiers", and directs all prospective customers of office copying machines to select the most appropriate and economical procurement method through the use of life-cycle cost (LCC) techniques.

DATES: Comments are due in writing on or before August 25, 1993.

ADDRESSES: Comments should be addressed to Nicholas Economou, FSS Acquisition Management Center (FCO), Crystal Mall Building #4, room 716, Washington, DC 20406.

FOR FURTHER INFORMATION CONTACT: Carl Carter, Engineering and Commodity Management Division (703–305–7540).

SUPPLEMENTARY INFORMATION:

A. Executive Order 12291

The General Services Administration (GSA) has determined that this is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more, a major increase in costs to consumers or others, or other significant adverse effects. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of this rule. In addition, GSA has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits. Finally, GSA has chosen the alternative approach involving the least net cost to society.

B. Regulatory Flexibility Act

This proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C.

C. Paperwork Reduction Act

This proposed rule does not contain information collection requirements that require approval of OMB under the Paperwork Reduction Act (44 U.S.C. 3501).

List of Subjects in 41 CFR Part 101–25

Government property management.

Accordingly, 41 CFR part 101–25 is proposed to be amended as set forth below:

PART 101–25—GENERAL

1. The authority citation for part 101–25 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–25.5—Guidelines for Making Purchase or Lease Determinations

2. Section 101–25.504 is revised to read as follows:

§ 101–25.504 Office copying machines.

For purposes of this section, the term "copying machine(s)" shall include all equipment which produces copies of images from "hard" or printed originals, at a single location, whether or not the individual machine has any additional capabilities. The term "office copying machine(s)" shall include all models of copying machines that produce 69 or fewer 8½" x 11" copies per minute in their most productive modes. "High-speed copiers" or "duplicators" which produce in excess 69 copies per minute are generally considered to be equipment for use in copy centers or printing plants and are not covered by this section. Customers requiring high-output equipment of this type must conform to the mandates of the Joint Committee on Printing. Inquiries in this area should be addressed to: The Honorable Charlie Rose; Chairman; Joint Committee on Printing; Congress of the United States; Washington, DC 20510–6066. Certain high-speed printing applications are subject to the Brooks Act and GSA's Federal Information Resources Management Regulations (FIRMR) and are considered to be Federal Information Processing (FIP) resources. These applications include printing systems that are designed for use in conjunction with or controlled by a computer system. Such applications are not covered by this section.

(a) Determining the most appropriate and economical type of office copying machine(s) for a given application is the responsibility of the central printing management organization (CPMO) or its designee within the ordering agency. The CPMO or its designee must accurately determine the true copying needs of the using activity in terms of copy volume per month, equipment features, and equipment options that further the mission of the activity and provide the most economical copier service overall. Underestimating or overestimating the copying capabilities required may lead to obtaining office copying machines that do not satisfy the needs of the activity, and may result in higher than necessary copier costs. The selection process should also include an evaluation of the benefits and drawbacks of placements of copiers within the work unit.

(b) All prospective customers of office copying machines must consider all available procurement options, i.e., purchase, rental, lease to purchase, single-vendor contracts, and cost-per-copy (CPC). These options are available under either the terms and conditions of applicable Federal Supply Schedule contracts or a customized buying program of the Federal Supply Service. Each of these options can prove to be cost effective depending on the circumstances and the true copying needs of the using activity. Prior to acquisition of office copying machines, the ordering activity must determine the various costs of acquiring such equipment through each of the procurement options described below. Determining these costs must be based on the best available information and estimates, including any factors peculiar to office copying machines. Once these costs have been determined, life-cycle costing (LCC) techniques shall be used to determine the most cost-effective procurement option for the particular situation.The most cost-effective option shall be used in making the procurement, except in situations where the most cost-effective option will fail to meet the needs of the agency.

(1) LCC for the purchase of office copying machines shall include, as a minimum, up-front cost of the equipment; costs of consumable

supplies such as toner, developer, etc. for the expected useful life of the equipment; costs of repair and maintenance service for the expected useful life of the equipment; and installation, removal, and disposal costs.

(2) LCC for the rental of office copying machines shall include, as a minimum, monthly rental charges for the expected period of usage (both basic rent and excess copy or "click" charges if applicable); costs of consumable supplies, if separate from monthly rental charges; costs of repair and maintenance services if separate from monthly rental charges; installation and removal charges, if any; and, if there is reason to expect that the equipment will be utilized for a period less than the rental term, termination charges. When renewing a rental agreement, a review of currently available copier equipment should be conducted to determine whether new equipment could provide lower cost and/or more productive service. Excessive maintenance calls or the necessity to frequently send special copying jobs outside may indicate that the current rental equipment is no longer adequate to meet the copying demands of the activity. Either equipment upgrades or utilization of a centralized copying/duplicating facility may be proper responses to situations of this type.

(3) LCC for the lease to purchase of office copying machines shall include, as a minimum, the total of lease payments which will result in ownership of the equipment passing to the Government; costs of consumable supplies; cost of repair and maintenance services; and installation, removal, and disposal costs.

(4) Prices and services provided through single-vendor contracts may vary widely, depending upon the numbers and proximities of placements, and whether the contract is for purchase, rental, or lease to purchase. Again, it is mandatory that appropriate LCC techniques be utilized in order to properly evaluate the worth of such proposed contracts.

(5) Under the cost-per-copy (CPC) program, the contractor provides the office copying machines in varying capabilities to suit particular site requirements, all consumable supplies except for paper, and all maintenance and repair services. The customer pays a contract price for each copy produced during the billing period. The CPC program provides excellent service, lowers the basic costs for electrostatic copying services, and eliminates most administrative costs in providing copier service to qualified Government activities. To determine if CPC is suitable, potential customers must calculate a "maximum allowable" cost target, beyond which CPC would not be cost-effective. This target will be equal to the lowest overall cost available through purchase, rental, or lease to purchase. To the extent possible, all applicable costs must be considered, including those of administering the reprographics program. In addition, the potential customer must require a sufficient number of office copying machines within a reasonable geographical area to allow for the economies of scale in the CPC program. Experience indicates that approximately 40 machines within a radius of several miles constitute the minimum for a successful CPC program. Customers who judge that the CPC program may provide service improvements and/or cost savings in their reprographics programs should contact the Director, Office and Scientific Equipment Commodity Center, Federal Supply Service. Federal Supply Service will review their circumstances and advise the customer as to whether CPC is a suitable, cost-effective method to satisfy their requirements.

(i) The CPC program should always be considered by customers with singular or collective large-scale requirements. Quantity acquisitions will generally improve both the prices and service for copier customers and should be strongly considered whenever circumstances warrant. Individual customers with large copier requirements in a relatively compact geographical area should always consider meeting most or all of their needs through a single, large-scale procurement when feasible; procurements which exceed the maximum order limitation (MOL) of Federal Supply Schedules can generally be expected to yield noticeably better pricing than single unit or small quantity purchases, rentals, or leases. Whenever the requirements of an ordering office exceed the applicable schedule MOL(s), the procedures in FAR 8.404–1(c) must be followed. Customers with smaller requirements at a given site should consider a collective effort with other agencies or activities such as the Cooperative Administrative Support Unit (CASU) programs.

(ii) The CPC program can provide the customer a chance to design and specify those elements of service that are important or critical to his/her activity. Office copying machines are powered mechanical devices that require competent, readily available service. They regularly require adjustments, cleaning, parts replacement, etc. in order to perform at optimum efficiency. Therefore, the ordering activity must consider the availability of capable service with acceptable response time. The lack of such service can invalidate cost-savings and obstruct agency missions through excessive down time. This consideration is important for those activities having remote locations that are not serviced by a wide variety of branch offices or dealerships.

(c) The Automated Product Listing Service (APLS) Users Manual contains the information and instructions needed by ordering activities to effectively and efficiently utilize LCC techniques in determining the relative costs of purchase, rental, and lease to purchase options. The manual can be obtained by contacting General Services Administration, Federal Supply Service, Office and Scientific Equipment Commodity Center, Engineering and Commodity Management Division (FCGC), Washington, DC 20406. The APLS Users Manual also contains information and instructions regarding the use of a computer based price and features service, called APLS, that can compute life-cycle costs. APLS also features copiers available on FSS Schedule 36 IV arrayed in LCC sequence at standard monthly volumes. All potential customers for copiers are encouraged to use this computer based service.

Dated: June 11, 1993.

Nicholas M. Economou,

Director, FSS Acquisition Management Center (FCO).

[FR Doc. 93–17615 Filed 7–23–93; 8:45 am]

BILLING CODE 6820–34–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 88, 90 and 94

[PR Docket No. 92–235; DA 93–800]

Revision of Regulations on the Private Land Mobile Radio Services; Modification of Policies

AGENCY: Federal Communications Commission.

ACTION: Proposed Rule; Order Extending Reply Comment Period.

SUMMARY: The Chief, Land Mobile and Microwave Division, Private Radio Bureau, has adopted an Order extending the time period in which to file reply comments to the Notice of Proposed Rule Making, in this proceeding. That document (57 FR 54034, November 16, 1992) proposed major policy changes for the private land mobile radio services, particularly for the bands below 512

MHz. The new date for reply comments is July 30, 1993. This action will provide commenters additional time to review the very large volume of comments submitted to date.

DATES: Reply comments must be filed on or before July 30, 1993.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Doron Fertig, Policy and Planning Branch, Land Mobile and Microwave Division, Private Radio Bureau, (202) 632–6497.

SUPPLEMENTARY INFORMATION:

Order Extending Reply Comment Period

Adopted: June 30, 1993
Released: July 2, 1993
Reply Comment date: July 30, 1993

In the matter of Replacement of part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them, PR Docket No. 92–235.

By the Chief, Land Mobile & Microwave Division, Private Radio Bureau

1. On November 6, 1992, the Commission released a Notice of Proposed Rule Making, 7 FCC Rcd 8105 (1992) 57 FR 54034, November 16, 1992, (Notice), in this proceeding. The specified deadlines for comments and reply comments were February 26, 1993 and April 14, 1993, respectively. On February 8, 1993, the Chief, Private Radio Bureau, extended the comment and reply comment deadlines to May 28, 1993 and July 14, 1993, respectively, in response to requests from the Public Safety Communications Council, the Land Mobile Communications Council (LMCC), and PowerSpectrum, Inc. (8 FCC Rcd 1501 (1993)). On June 29, 1993, LMMC submitted a Motion for Extension of Time to extend the reply comment period to July 30, 1993.

2. LMCC based its request on the number and complexity of the comments filed in response to the Notice and on the need for additional time to review and analyze the voluminous record in this proceeding. We believe the public interest would be served by providing adequate time for interested parties to read and respond to comments filed in response to the Notice so that the Commission has at its disposal the fullest possible record on which to make decisions on all the issues involved in this proceeding.

3. Accordingly, IT IS ORDERED, based on the authority granted in Section 0.331 of the Commission's Rules and Regulations, 47 CFR 0.331, that the petition of LMCC IS GRANTED, and, that the deadline for filing reply comments in the subject Notice of Proposed Rule Making is extended to July 30, 1993.

Federal Communications Commission.

Richard J. Shiben,

Chief, Land Mobile & Microwave Division, Private Radio Bureau.

[FR Doc. 93–17119 Filed 7–23–93; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 73

[MM Docket No. 93–203, RM–8245]

Radio Broadcasting Services; Islesboro, ME

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Islesboro Broadcasting Company proposing the allotment of Channel 288B1 to Islesboro, Maine, as that community's first FM broadcast service. Canadian concurrence will be requested for this allotment at coordinates 44–09–31 and 68–53–03. There is a site restriction 16.7 kilometers (10.4 miles) south of the community. The proposal for Islesboro must conform with the technical requirements of § 73.1030(c)(1)–(5) of the Rules regarding protection to the Commission's monitoring station at Belfast, Maine.

DATES: Comments must be filed on or before September 9, 1993, and reply comments on or before September 24, 1993.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Richard J. Hayes, Jr., Esquire, 13809 Black Meadow Road, Spotsylvania, Virginia 22553.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 93–203, adopted June 25, 1993, and released July 20, 1993. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., suite 140, Washington, DC 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 93–17604 Filed 7–23–93; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 87

[PR Docket No. 93–199; FCC 93–331]

Implementing Technical Requirements Applicable to Instrument Landing System Receivers and VHF Omnirange Radio Receivers Adopted by the International Civil Aviation Organization

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has adopted a Notice of Proposed Rule Making (NPRM) that proposes to implement new technical specifications for all Instrument Landing Systems (ILS) and VHF Onmirange Radio (VOR) receivers on board U.S. aircraft. This action is necessary in order to meet U.S. obligations under the U.S. International Civil Aviation Organization (ICAO) Convention. The proposed technical standards would increase the safety of flight.

DATES: Comments must be submitted on or before September 27, 1993. Reply Comments must be submitted on or before October 27, 1993.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Marc S. Martin, (202) 632–7175, Private Radio Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's NPRM,

FCC 93–331, adopted June 24, 1993; and released July 14, 1993. The full text of this Notice if available for inspection and copying during normal business hours in the FCC Reference Center, room 230, 1919 M Street NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, 1919 M Street, room 246, Washington, DC 20554, telephone (202) 857–3800.

Summary of NPRM

1. This NPRM proposes to implement the standards and recommendations contained in Annex 10 to the ICAO Convention for all airborne Instrument Landing System (ILS) and VHF Omnirange Radio (VOR) receivers used on U.S. aircraft. The proposed technical standards would improve the immunity of ILS and VOR receivers to interference and thereby improve the safety of the public using air transportation. ICAO is the international organization charged with overseeing and ensuring the safety and efficiency of international flight. In 1985, the ICAO promulgated new technical standards for airborne ILS and VOR receivers. These standards would provide ILS and VOR receivers with greater immunity to interference in the presence of VHF FM broadcast signals. The ICAO ILS and VOR receiver standards are contained in the proposed Rules. The NPRM proposes that the standards apply to all newly installed ILS and VOR receivers after January 1, 1995, and to all ILS and VOR receivers after January 1, 1998, on aircraft on international flights or those flying domestically under Instrument Flight Rules. It further proposes that all U.S. aircraft comply by January 1, 2005.

2. In order to ensure that ILS and VOR receivers meet the new standards, the Commission has proposed that all ILS and VOR receivers manufactured in or imported into the United States meet the ICAO standards by January 1, 1994. In accordance with the Commission's Rules, notification is proposed as the appropriate method for applying for equipment authorization. Notification is a type of equipment authorization issued by the Commission whereby the applicant makes measurements to determine that the equipment complies with the appropriate technical standards and reports that such measurements have been made and demonstrate the necessary compliance. Submittal of a sample unit or representative data demonstrating compliance is not required unless specifically requested by the FCC. The procedures for application for equipment authorization are contained in Subpart J of Part 2 of the Commission's Rules. The Commission has proposed to use the test procedures defined by RTCA's (and association of aeronautical organizations of the United States from both government and industry) Minimum Operational Performance Standards for ILS and VOR receivers as the basis for applications for equipment authorization.

3. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis (IFRA) of the expected impact on small entities of the proposals contained in this NPRM. We request written public comment on the IRFA, which follows. Comments must have a separate and distinct heading designating them as responses to the IFRA and must be filed by the comment deadlines provided above. The Secretary shall send a copy of this NPRM, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Public Law No. 96–354, 94 stat. 1164, 5 U.S.C. 601–612 (1981).

A. Reason for Action

(i). This rule making proceeding is initiated to obtain comment regarding the adoption of International Civil Aviation Organization (ICAO) technical standards for instrument landing system (ILS) and VHF Omnirange Radio (VOR) receivers on board U.S. aircraft.

B. Objectives

(ii). The Commission seeks to implement ICAO technical standards as required by the Convention on International Civil Aviation, to which the United States is signatory. In implementing the ICAO standards for all U.S. aircraft, whether flying internationally or only domestically, the Commission seeks to achieve the objectives of ICAO in mandating the standards and to maximize the safety of aviation generally.

C. Legal Basis

(iii). The NPRM is authorized under Sections 1, 2(a), 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152(a), 154(i), 303(r).

D. Reporting, Recordkeeping and Other Compliance Requirements

(iv). None for small business entities.

E. Federal Rules Which Overlap, Duplicate or Conflict With These Rules

(v). None.

F. Description, Potential Impact, and Number of Small Entities Involved

(vi). The rule changes proposed in this proceeding could affect small, general aviation businesses by requiring them to replace current ILS and VOR receivers with ILS and VOR receivers meeting the ICAO standards. After evaluating the comments in this proceeding, the Commission will further examine the impact of any rule changes on small entities and set forth our findings in the Final Regulatory Flexibility Analysis.

G. Any Significant Alternatives Minimizing the Impact on Small Entities Consistent with the Stated Objectives

(vii). The NPRM currently proposes an extended compliance period for small entities which fly only domestically, to minimize the impact of the proposed rule changes on such entities. The Commission believes that this is a reasonable compromise between allowing no extension of the compliance period, which would place a heavier economic burden on small entities, and allowing a longer extended compliance period, which would have a detrimental effect on the safety of the public engaged in flight. The NPRM solicits comments on alternatives.

4. The proposal contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980, 44 U.S.C. 3501–3520, and found to contain no new or modified form, information collection and/or record retention requirements, and will not increase or decrease burden hours imposed on the public.

List of Subjects in 47 CFR Part 87

Aviation safety, Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 93–17137 Filed 7–23–93; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1035

[Ex Parte No. 495]

Bills of Lading

AGENCY: Interstate Commerce Commission.

ACTION: Proposed rule; extension of comment due date.

SUMMARY: By notice served June 29, 1993 (58 FR 34775, June 29, 1993), the Commission requested comments on its

proposed revision of regulations pertaining to railroad and motor carrier uniform bills of lading. The Commission also sought comments on a proposal to further amend these rules submitted jointly by National Grain and Feed Association (NGFA), the Association of American Railroad (AAR), and the National Industrial Transportation League (NITL). By letter filed July 7, 1993, NGFA, AAR and NITL jointly request an extension to August 30, 1993 to file comments. These parties state additional time is needed due to the large number of constituents each represents and difficulties seeking a consensus regarding the proposals due to unavailability of key personnel. The extension request is reasonable and will be granted.

DATES: Comments must be received by August 30, 1993.

ADDRESSES: Send an original and 10 copies of comments referring to Ex Parte No. 495 to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660 or Andrew J. Nosacek, (202) 927–5318. [TDD for the hearing impaired: (202) 927–5721].

Decided: July 19, 1993.

By the Commission, Chairman McDonald, Vice Chairman Simmons, Commissioners Phillips, Philbin, and Walden. Commissioner Walden dissented with a separate expression.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93–17666 Filed 7–23–93; 8:45 am]

BILLING CODE 7035-01-P

Notices

Federal Register
Vol. 58, No. 141
Monday, July 26, 1993

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 93–089–1]

Availability of Environmental Assessments and Findings of No Significant Impact

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that six environmental assessments and findings of no significant impact have been prepared by the Animal and Plant Health Inspection Service relative to the issuance of permits to allow the field testing of genetically engineered organisms. The environmental assessments provide a basis for our conclusion that the field testing of these genetically engineered organisms will not present a risk of introducing or disseminating a plant pest and will not have a significant impact on the quality of the human environment. Based on its findings of no significant impact, the Animal and Plant Health Inspection Service has determined that environmental impact statements need not be prepared.

ADDRESSES: Copies of the environmental assessments and findings of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect those documents are encouraged to call ahead on (202) 690–2817 to facilitate entry into the reading room.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Foudin, Deputy Director, Biotechnology Permits, BBEP, APHIS, USDA, room 850, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–7612. For copies of the environmental assessments and findings of no significant impact, write to Mr. Clayton Givens at the same address. Please refer to the permit numbers listed below when ordering documents.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340 (referred to below as the regulations) regulate the introduction (importation, interstate movement, and release into the environment) of genetically engineered organisms and products that are plant pests or that there is reason to believe are plant pests (regulated articles). A permit must be obtained before a regulated article may be introduced into the United States. The regulations set forth the procedures for obtaining a limited permit for the importation or interstate movement of a regulated article and for obtaining a permit for the release into the environment of a regulated article. The Animal and Plant Health Inspection Service (APHIS) has stated that it would prepare an environmental assessment and, when necessary, an environmental impact statement before issuing a permit for the release into the environment of a regulated article (see 52 FR 22906).

In the course of reviewing each permit application, APHIS assessed the impact on the environment that releasing the organisms under the conditions described in the permit application would have. APHIS has issued permits for the field testing of the organisms listed below after concluding that the organisms will not present a risk of plant pest introduction or dissemination and will not have a significant impact on the quality of the human environment. The environmental assessments and findings of no significant impact, which are based on data submitted by the applicants and on a review of other relevant literature, provide the public with documentation of APHIS' review and analysis of the environmental impacts associated with conducting the field tests.

Environmental assessments and findings of no significant impact have been prepared by APHIS relative to the issuance of permits to allow the field testing of the following genetically engineered organisms:

Permit No.	Permittee	Date issued	Organisms	Field test location
93–117–01, renewal of permit 90–065–06, issued on 05–15–90.	University of Kentucky.	06–15–93	Tobacco plants genetically engineered to express resistance to tobacco vein mottling virus.	Kentucky.
93–063–01	Miles Incorporated.	06–17–93	Tobacco plants genetically engineered to express stilbene phytoalexin synthase genes for resistance to the fungus *Botrytis cinerea*.	Florida, Kan-
93–105–04	Michigan State University.	06–17–93	Melon plants genetically engineered to express resistance to zucchini yellow mosaic virus.	Michigan.
93–105–06, renewal of permit 92–076–02, issued on 06–18–92.	New York State Agricultural Experiment Station.	06–17–93	Squash plants genetically engineered to express resistance to cucumber mosaic virus.	New York.

Permit No.	Permittee	Date issued	Organisms	Field test location
93–105–07, renewal of permit 92–076–02, issued on 06–18–92.	New York State Agricultural Experiment Station.	06–18–93	Melon plants genetically engineered to express resistance to cucumber mosaic virus.	New York.
93–039–02	University of Wisconsin at Madison.	06–22–93	Spruce and poplar trees genetically engineered to express a deltaendotoxin from *Bacillus thuringiensis* subsp. *kurstaki* strain HD1 for resistance to lepidopteran insects.	Wisconsin.

The environmental assessments and findings of no significant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*), (2) Regulations of the Council on Environmental Quality for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500–1508), (3) USDA Regulations Implementing NEPA (7 CFR part 1b), and (4) APHIS Guidelines Implementing NEPA (44 FR 50381–50384, August 28, 1979, and 44 FR 51272–51274, August 31, 1979).

Done in Washington, DC, this 20th day of July 1993.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 93–17707 Filed 7–23–93; 8:45 am]

BILLING CODE 3410–34–P

[Docket No. 92–195–1]

Environmental Impact Statement for the Importation of Logs, Lumber, and Other Unmanufactured Wood Articles

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service intends to prepare an environmental impact statement (EIS) in connection with regulations we are considering proposing regarding the importation of certain types of unmanufactured wood articles. This notice identifies the environmental issues that we intend to analyze in the EIS and requests public comment on those and other issues.

DATES: Consideration will be given only to comments received on or before August 25, 1993.

ADDRESSES: Please send an original and three copies of your comments to Mr. Jack Edmundson, Environmental Analysis and Documentation, Biotechnology, Biologics, and Environmental Protection, APHIS, USDA, room 543, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket No. 92–195–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are encouraged to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Jack Edmundson, Environmental Analysis and Documentation, Biotechnology, Biologics, and Environmental Protection, APHIS, USDA, room 543, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–8963.

SUPPLEMENTARY INFORMATION: The Animal and Plant Health Inspection Service (APHIS) is considering regulating the importation of certain types of unmanufactured wood articles, such as logs, lumber, wood chips, and bark. Under the provisions of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4331, et. seq.), we are required to prepare an environmental impact statement (EIS) for the regulations under consideration. This notice will serve to inform the public of our intent to prepare an EIS, describe the proposed scope of the EIS, and solicit public comment on the potential environmental issues.

Until recently, the quantity and variety of unmanufactured wood articles imported into the United States were very limited. Consequently, no regulations were developed to specifically address the importation of unmanufactured wood articles. APHIS has dealt with such imports by inspecting shipments of unmanufactured wood articles at ports of first arrival in the United States and ordering further action, if warranted, as a condition of entry. In addition, APHIS has prohibited the entry of logs from the Soviet Far East and Siberia because a detailed pest risk assessment found dangerous plant pests could occur in such logs and may be entered with them.

There is currently an intense commercial interest in developing a long-term industry in the Pacific Northwest for importing and processing logs from foreign countries. There is also the potential for increased imports of logs and other unmanufactured wood articles into other areas of the United States.

In light of this, representatives of domestic timber industries, State governments, academia, and environmental organizations requested that APHIS establish conditions for importing unmanufactured wood articles that are adequate to prevent the introduction into the United States of plant pests and pathogens. As a result, an advance notice of proposed rulemaking was published in the **Federal Register** on September 22, 1992 (57 FR 43628–43631, Docket No. 91–074–2) to inform the public that APHIS is considering regulating the importation of certain types of unmanufactured wood articles, such as logs, lumber, wood chips, and bark.

APHIS will attempt to accomplish the following objectives in the regulations currently under consideration:

- Identify the types of articles to be regulated (unmanufactured wood articles);
- Impose requirements on the importation and entry of regulated articles that would minimize plant pest risks;
- Establish universal importation requirements under which any regulated article could be imported and entered from anywhere if the requirements were met;
- Establish a procedure for evaluating whether to allow unmanufactured wood articles to be imported and entered under conditions other than those specified in the regulations.

The regulations currently under consideration would require some combination of de-barking, heat treatment, fumigation, pesticide and fungicide use, inspection, and permitting and certification, depending upon the type of unmanufactured wood article to be imported and its origin.

As part of the rulemaking process, APHIS will examine four alternatives:

- Take no action (i.e., do not establish regulations);
- Establish regulations based on the objectives described above;
- Prohibit the importation of untreated or raw wood, except as packing material and except untreated raw wood from Canada and the border states of Mexico;
- Prohibit the importation of all unmanufactured wood articles except for articles from Canada and the border states of Mexico. This alternative will be considered, but may be too speculative and unsuited to meaningful analysis. Comment on this issue would be very helpful and is particularly solicited.

Many of the issues that will be developed in the EIS were identified in comments submitted in response to the advance notice of proposed rulemaking mentioned above. The issues include:

- Human safety as it relates to the use of pesticides and wood preservatives. The use of chemicals will be addressed by discussing the human health implications of the use or non-use of Environmental Protection Agency-registered chemicals.
- The potential impact of the alternatives under consideration on forests in the United States. This issue includes the potential for changes in logging pressure on U.S. forests and the potential risk of plant pest introduction.
- The cumulative impact of the use of methyl bromide as a fumigant. The regulations being considered could result in methyl bromide fumigation of unmanufactured wood articles, both in foreign countries and at U.S. ports.
- Several commenters requested that we evaluate the potential for the regulations under consideration to increase demand for tropical and Siberian unmanufactured wood articles and thus result in secondary impacts on the global environment. Although this issue may be too speculative to evaluate meaningfully, information regarding this issue would be very helpful and is solicited.

Potential "extraterritorial" impacts that may fall within the purview of Executive Order 12114 will be discussed in the EIS. No separate document will be necessary to comply with Executive Order 12114.

Comments regarding the proposed scope of the EIS are welcome and will be fully considered. When the draft EIS is completed, a notice announcing its availability and an invitation to comment on it, along with a notice of any public hearings, will be published in the **Federal Register**.

Done in Washington, DC, this 20th day of July 1993.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 93–17706 Filed 7–23–93; 8:45 am]

BILLING CODE 3410-34-P

[Docket No. 93–090–1]

Receipt of a Permit Application for Release Into the Environment of Genetically Engineered Organisms

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that an application for a permit to release genetically engineered organisms into the environment is being reviewed by the Animal and Plant Health Inspection Service. The application has been submitted in accordance with 7 CFR part 340, which regulates the introduction of certain genetically engineered organisms and products.

ADDRESSES: Copies of the application referenced in this notice, with any confidential business information deleted, are available for public inspection in room 1141, South Building, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect an application are encouraged to call ahead on (202) 690–2817 to facilitate entry into the reading room. You may obtain copies of the documents by writing to the person listed under "**FOR FURTHER INFORMATION CONTACT.**"

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Foudin, Deputy Director, Biotechnology Permits, BBEP, APHIS, USDA, room 850, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436–7612.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests," require a person to obtain a permit before introducing (importing, moving interstate, or releasing into the environment) into the United States certain genetically engineered organisms and products that are considered "regulated articles." The regulations set forth procedures for obtaining a permit for the release into the environment of a regulated article, and for obtaining a limited permit for the importation or interstate movement of a regulated article.

Pursuant to these regulations, the Animal and Plant Health Inspection Service has received and is reviewing the following application for a permit to release genetically engineered organisms into the environment:

Application No.	Applicant	Date received	Organism	Field test location
93–175–01, renewal of permit 91–205–01, issued on 10–22–91.	Calgene, Incorporated	06–24–93	Rapeseed plants genetically engineered to express oil modification genes.	California.

Done in Washington, DC, this 20th day of July 1993.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 93–17708 Filed 7–23–93; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of Application.

SUMMARY: The Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the application and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Jude Kearney, Acting Director, Office of Export Trading Company Affairs, International Trade Administration,

202/482–5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. An original and five (5) copies should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, room 1800H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). Comments should refer to this application as "Export Trade Certificate of Review, application number 93–00001."

Summary of the Application

Applicant: CALCAST, Inc., 1011 St. Andrews Dr., Suite I, El Dorado Hills, CA 95762. *Application No.:* 93–00001. *Contact:* Jerry Simonelli, Counsel. *Telephone:* (202) 223–0055.

Date Deemed Submitted: July 19 1993

MEMBERS IN ADDITION TO APPLICANT

Company	City	State
A" Brass Foundry, Inc	Los Angeles	California.
Aacco Foundry, Inc	Carson	Do.
American Brass & Iron	Oakland	Do.
Beckett Bronze Co., Inc	Munci	Indiana.
Bell Foundry Company	South Gate	California.
CASTCO (Cast Aluminum & Brass Corp.)	San Leandro	Do.
Commercial Casting Co	Fontana	Do.
EXCAL, Inc	Mills	Wyoming.
Fresno Valves & Castings, Inc	Selma	California.
Gregg Industries	El Monte	Do.
Kearney's Manufacturing	Fresno	Do.
Lodi Iron Works, Inc	Lodi	Do.
Los Angeles Brass Products	Huntington Park	Do.
Macaulay Foundry	Berkeley	Do.
Martin Brass Foundry	Torrance	Do.
Micro Metals, Inc	Richmond	Do.
Modern Pattern & Foundry Company	Los Angeles	Do.
Montclair Bronze, Inc	Montclair	Do.
Pacific Steel Casting Co	Berkeley	Do.
Production Pattern & Foundry Company	San Leandro	Do.
Valley Brass, Inc	El Monte	Do.

CALCAST, Inc. seeks a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

Export Trade

1. Products and Services

All products that can be cast from stainless steel, carbon steel, grey iron, ni-hard iron, (nickel-based), brass, bronze, copper, aluminum, titanium and any alloyed combination of those materials, as well as design services related to Products and related manufacturing processes.

2. Export Trade Facilitation Services (As They Relate to the Export of Products and Services)

Consulting; international market research; marketing and trade promotion; trade show participation; legal assistance; services related to compliance with customs requirements; trade documentation and freight forwarding; communication and processing of export orders and sales leads; foreign exchange; financing; and liaison with U.S. foreign government agencies, trade associations, and banking institutions.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

Export Trade Activities and Methods of Operation

Calcast, Inc. and/or its Members may:

1. Discuss and reach agreements relating to foreign customer specifications and engineering requirements. Calcast, Inc. may obtain foreign customer specifications and engineering requirements and then its Board members may review and discuss them.

2. Engage in joint bidding, joint negotiating with foreign buyers, joint processing of foreign orders and other joint selling arrangements for their products and allocate export sales resulting from such arrangements.

3. Establish export prices, quantities, and other terms and conditions of sale for sales of their products in foreign markets.

4. Share product information for export only, including but not limited to information concerning type of materials used, type of goods produced, and capacity information, in order to determine which Members can bid on each export job.

5. Label goods produced by any member with a label identifying the

goods as exported by or through Calcast, Inc.

6. Refuse to quote for, or to market or sell to certain foreign customers. Members may retain foreign customers to whom the Members already had export sales during the one (1) year period prior to commencement of Calcast, Inc. operations without any competition from Calcast, Inc. This refusal to compete is limited, however, to those product lines already in use, as defined by pattern(s) or mold(s). Additionally, Members may agree that Calcast, Inc. shall be their exclusive agent for all customers generated by or through Calcast, Inc. and that the Members shall not compete with Calcast, Inc. by attempting to sell to or selling to any customer of Calcast, Inc. without Calcast, Inc.'s involvement in the sale for a defined noncompetition period.

7. Engage in joint promotional activities, such as advertising and trade shows, aimed at developing or expanding export markets.

8. Refuse to solicit non-member suppliers to export their products through Calcast, Inc.'s certified activities. Calcast, Inc. and/or its Members may solicit and negotiate with non-member suppliers to sell their products through Calcast, Inc.'s certified activities; provided, however, that Calcast, Inc. and/or its Members shall make such solicitations or offers to non-members on a transaction by transaction basis only and then only when the Members are unable or not reasonably able to supply, at a price competitive under the circumstances, the requisite product or services; and provided further that Calcast, Inc. and/or its Members may exchange only such information with such non-member suppliers as is reasonably required by such transaction.

9. Jointly finance Calcast, Inc. costs and costs of any sales agents. Foreign customers may make payments to Calcast, Inc. as agent for the Member(s). Calcast, Inc. may then retain a commission from the sale, remit payment due to any sales agents, and then remit payment due to the Member(s).

10. Share foreign market information and engage in joint market research concerning export markets. Exchange and discuss market information in regard to opportunities for sales in export markets, selling strategies in export markets, pricing in export markets, projected demand in export markets, customary terms of sale in export markets, types of products available from competitors for sale in particular export markets, and how to fulfill the technical product requirements of specific export customers or particular export markets.

11. Exchange and discuss price, quality, quantity, source and delivery dates of products available from Members for export on a transaction by transaction basis only as necessary.

12. Exchange and discuss information about terms, conditions, and specifications of particular contracts for sale in export markets to be considered and/or bid on by Calcast, Inc.

13. Exchange and discuss information about joint bidding or selling agreements for export markets and allocations of sales resulting from such arrangements among the Members.

14. Exchange and discuss information about expenses specific to and within export markets, including but not limited to insurance, transportation, port storage, commissions, documentation requirements, customs, duties, and taxes.

15. Exchange and discuss information about United States and foreign legislation and regulations affecting sales in export markets.

16. Exchange and discuss information about Calcast, Inc. or Members' export operations, including but not limited to sales and distribution networks and prior export sales by Members (including export price information).

17. Discuss and agree on engineering and other technical product and service requirements of specific export customers or export markets as well as how to fulfill such requirements.

18. Meet to engage in the conduct described in paragraphs 1–17 above.

Dated: July 20, 1993.

Jude Kearney,

Acting Director, Office of Export Trading Company Affairs.

[FR Doc. 93–17749 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DR–M

[A–427–801; et al.]

Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order

In the matter of A–27–801, A–428–801, A–475–801, A–588–804, A–485–801, A–559–801, A–401–801, A–549–801, A–412–801; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand, and the United Kingdom.

AGENCY: International Trade Administration/Import Administration Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative reviews and revocation in part of an antidumping duty order.

SUMMARY: On April 27, 1993, the Department of Commerce published the preliminary results of its administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof, from France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand and the United Kingdom. The classes or kinds of merchandise covered by these reviews are ball bearings and parts thereof, cylindrical roller bearings and parts thereof, and spherical plain bearings and parts thereof, as described in more detail below. The reviews cover 41 manufacturers/exporters and the period May 1, 1991 through April 30, 1992.

Based on our analysis of the comments received, we have made changes, including corrections of certain inadvertent programming and clerical errors, in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms for each class or kind of merchandise are listed below in the section "Final Results of Review."

The Department also is revoking the antidumping duty order on cylindrical roller bearings and parts thereof from the United Kingdom with respect to Cooper Roller Bearings Co. Ltd.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: The appropriate case analyst, for the various respondent firms listed below, at the Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482–4733.

France

Joanna Schlesinger (Dassault Industries, SNR Roulements S.A., Valeo S.A.), Michael Diminich (SKF France), Joseph Fargo (SNECMA), Anna Snider (SNFA), Carlo Cavagna (Turbomeca), or Richard Rimlinger.

Germany

Carlo Cavagna (Fichtel & Sachs AG), Michael Diminich (FAG Kugelfischer George Schaefer KGaA), Amy Beargie (INA Walzlager Schaeffler KG), J. David Dirstine (SKF GmbH, George Mueller Nurnberg AG), David Levy (NTN Kugellagerfabrik (Deutschland) GmbH), or Richard Rimlinger.

Italy

Carlo Cavagna (Meter S.p.a.), Michael Diminich (SKF Industrie S.p.A.), Joseph Fargo (SNECMA), Anna Snider (FAG Italia S.p.A.), or Richard Rimlinger.

Japan

Jacqueline Arrowsmith (Showa Pillow Block Mfg. Ltd., Takeshita Seiko Co., Nachi-Fujikoshi Corp.), Kris Campbell (Izumoto Seiko Co. Ltd., Tottori Yamakai Bearing Seisakusho Ltd.), David Levy (NTN Corp., NSK Ltd.), Joseph Hanley (Koyo Seiko Co. Ltd., Asahi Seiko Co. Ltd., Inoue Jikuuke Kogyo Co.), Philip Marchal (Nippon Pillow Block Sales Co., Nakai Bearing Co. Ltd., Honda Motor Co. Ltd., Osaka Pump Co. Ltd., Fujino Iron Works Co. Ltd., Nankai Seiko Bearing Co. Ltd.), or Michael Rill.

Romania

Michael Diminich (Tehnoimportexport) or Richard Rimlinger.

Singapore

David Levy (NMB Singapore Ltd. and Pelmec Industries (Pte.) Ltd.) or Michael Rill.

Sweden

Joseph Fargo, Michael Diminich (SKF Sverige), or Richard Rimlinger.

Thailand

David Levy (NMB Thai Ltd. and Pelmec Thai Ltd.) or Michael Rill.

United Kingdom

Amy Beargie (The Barden Corporation (U.K.) Ltd.), Anna Snider (FAG (U.K.) Ltd.), Carlo Cavagna (RHP Bearings), Joanna Schlesinger (Cooper Bearings Ltd., Societe Nouvelle de Roulements), or Richard Rimlinger.

SUPPLEMENTARY INFORMATION:

Background

On April 27, 1993, the Department of Commerce (the Department) published in the **Federal Register** the preliminary results of its administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof (AFBs) from France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand and the United Kingdom (58 FR 25606–25631). We gave interested parties an opportunity to comment on our preliminary results.

At the request of certain interested parties, we held a public hearing on general issues pertaining to all nine countries on May 24, 1993, and hearings on case-specific issues as follows: Thailand on May 25, 1993; Italy on May 26, 1993; Germany on May 27, 1993; Japan on May 28, 1993; and the United Kingdom on May 28, 1993.

In accordance with § 353.25(a) of the Department's regulations (19 CFR 353.25(a)), the Department is revoking the antidumping duty order on cylindrical roller bearings and parts thereof (CRBs) from the United Kingdom with respect to Cooper Roller Bearings Co. Ltd. (Cooper). Cooper submitted a request, in accordance with 19 CFR 353.25(b), for revocation of the order with respect to that company. Cooper has demonstrated three consecutive years of sales at not less than foreign market value and has submitted the required certifications. Furthermore, it is not likely that Cooper will sell the subject merchandise at less than foreign market value in the future. Therefore, the Department is revoking the order on cylindrical roller bearings and parts thereof from the United Kingdom with respect to Cooper.

Issues Appendix

All issues raised in the case and rebuttal briefs by parties to the 18 concurrent administrative reviews of AFBs are addressed in the "Issues Appendix," which is appended to this notice of final results.

Scope of Reviews

The products covered by these reviews are antifriction bearings (other than tapered roller bearings), and parts thereof, and constitute the following "classes or kinds" of merchandise: ball bearings and parts thereof (BBs), cylindrical roller bearings and parts thereof (CRBs), and spherical plain bearings and parts thereof (SPBs). For a detailed description of the products covered under these classes or kinds of merchandise, including a compilation of all pertinent scope determinations, see the "Scope Appendix," which is appended to this notice of final results.

Best Information Available

In accordance with section 776(c) of the Tariff Act of 1930, as amended (the Tariff Act), we have determined that the use of the best information available (BIA) is appropriate for a number of firms. For certain firms, total BIA was necessary, while for other firms, only partial BIA was applied. For a discussion of our application of BIA, see the "Best Information Available" section in the Issues Appendix.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made the following changes in these final results:

- Where applicable, certain programming and clerical errors in our preliminary results have been corrected. Any alleged programming or clerical errors pertaining to the calculation and treatment of charges and adjustments, cost of production (COP) and constructed value (CV) with which we do not agree are discussed in the relevant sections of the Issues Appendix.
- We have revised our test to determine whether home market (HM) sales to related parties were made at arm's length. The test used for these final results takes into account levels of trade and circumstances of sale.
- We revised our methodology for making adjustments for taxes paid on home market sales that are rebated, or not collected, on U.S. sales. Under the new methodology, we added the full amount paid in the home market to foreign market value (FMV) and added the same amount to United States price (USP).
- We have changed our basis for determining "All Others" rates to conform to recent rulings by the Court of International Trade (CIT). For these reviews, the "All Others" rates have been based on those from the less-than-fair-value investigations.
- We modified our treatment of certain charges and adjustments. See the Issues Appendix for discussions of these changes.

Analysis of Comments Received

See the Issues Appendix attached to this notice.

Final Results of Reviews

We determine the following percentage margins to exist for the period May 1, 1991 through April 30, 1992:

Company	BBs	CRBs	SPBs
France			
Dassault	0.05	0.00	0.00
SKF	2.08	(1)	0.00
SNFA	66.42	18.37	(2)
SNR	4.47	12.29	(2)
SNECMA	0.52	2.05	(2)
Turbomeca	0.00	0.49	(1)
Valeo	66.42	18.37	(2)

Company	BBs	CRBs	SPBs
All Others [3]	65.13	17.31	39 00
Germany			
FAG	11.81	17.62	2.56
Fichtel & Sachs	6.79	(2)	(2)
GMN	0.07	(2)	(2)
INA	22.74	13.47	(2)
NTN	0.22	(1)	(1)
SKF	14.81	7.17	8.37
All Others [3]	68.89	55.65	114.52
Italy			
FAG	5.95	25.88	.....
Meter	1.27	(1)	.....
SKF	4.46	0.00	.....
SNECMA	0.00	1.16	.....
All Others [3]	155.57	212.45	.....
Japan			
Asahi	0.50	(2)	(2)
Fujino	1.58	(2)	(2)
Honda	0.24	0.63	0.52
IJK	0.64	0.00	(2)
Izumoto	3.64	(2)	(2)
Koyo	7.55	2.26	0.00
Nachi	5.02	2.30	(2)
Nakai	6.17	(2)	(2)
Nankai Seiko	13.11	(2)	(2)
NPB	7.42	(2)	(2)
NTN	2.60	1.05	6.80
Osaka Pump	1.04	(2)	(2)
Showa	14.76	(2)	(2)
Takeshita	5.00	(2)	(2)
Tottori	0.80	(2)	(2)
All Others [3]	45.83	25.80	84.33
Romania			
TIE	(1)	.....	.....
All Others [3]	39.61	.....	.....
Singapore			
NMB/Pelmec	8.14	.....	.....
All Others [3]	25.06	.....	.....
Sweden			
SKF	7.79	5.35	.....
All Others [3]	180.00	13.69	.....
Thailand			
NMB/Pelmec	0.18	.....	.....
All Others [3]	0.00	.....	.....
United Kingdom			
Barden/FAG	8.90	0.00	.....
Cooper	(2)	0.00	.....
SNR	(2)	12.24	.....
All Others [3]	54.27	43.36	.....

[1] No U.S. sales during the review period.
[2] No review requested.
[3] Applies to firms not having individual rates, i.e., firms not covered in this or previous segments of the relevant proceeding.

Cash Deposit Requirements

To calculate the cash deposit rate for each respondent (i.e., each exporter or manufacturer included in these reviews), we divided the total dumping margins for each respondent by the total net USP value for that respondent's sales for each relevant class or kind during the review period under each order.

In order to derive a single deposit rate for each class or kind of merchandise for each respondent, we weight-averaged the purchase price (PP) and exporter's sales price (ESP) deposit rates (using the U.S. value of PP sales and ESP sales, respectively, as the weighting factors). To accomplish this, where we sampled ESP sales, we first calculated an expanded dumping margin for all ESP sales during the review period by multiplying the sample ESP margins by the ratio of total weeks in the review period to sample weeks. We then calculated a total net USP value for all ESP sales during the review period by

multiplying the sample ESP total net value by the same ratio. We then divided the expanded dumping margins for both PP and ESP sales by the expanded USP value for both PP and ESP sales to obtain the deposit rate.

We will direct Customs to collect the resulting percentage deposit rate against the entered Customs value of each of the respondent's entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice.

Entries of parts incorporated into finished bearings before sales to an unrelated customer in the United States will receive the respondent's deposit rate for the appropriate class or kind of merchandise.

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of antifriction bearings (other than tapered roller bearings) and parts thereof, entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rates for the reviewed companies will be as outlined above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; and (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise. The cash deposit rate for all other manufacturers or exporters will be the "All Others" rate shown for the relevant class or kind and country. In accordance with the CIT's decisions in *Floral Trade Council* v. *United States*, Slip Op. 93–79 (May 25, 1993), and *Federal-Mogul Corporation and The Torrington Company* v. *United States*, Slip Op. 93–83 (May 25, 1993), these rates are the "All Others" rates from the relevant less-than-fair-value investigations.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative reviews.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Because sampling and other simplification methods prevent entry-by-entry assessments, we will calculate wherever possible an exporter/importer-specific assessment rate for each class or kind of antifriction bearings.

1. Purchase Price Sales

With respect to purchase price sales for these final results, we divided the total dumping margins (calculated as the difference between foreign market value and U.S. price) for each importer by the total number of units sold to that importer. We will direct Customs to assess the resulting unit dollar amount against each unit of merchandise in each of that importer's entries under the relevant order during the review period. Although this will result in assessing different percentage margins for individual entries, the total antidumping duties collected for each importer under each order for the review period will be almost exactly equal to the total dumping margins.

2. Exporter's Sales Price Sales

For ESP sales (sampled and non-sampled), we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct Customs to assess the resulting percentage margin against the entered Customs values on each of that importer's entries under the relevant order during the review period. While the Department is aware that the entered value of sales during the period of review (POR) is not necessarily equal to the entered value of entries during the POR, use of entered value of sales as the basis of the assessment rate permits the Department to collect a reasonable approximation of the antidumping duties that would have been determined if the Department had reviewed those sales of merchandise actually entered during the POR.

In the case of companies that did not report entered value of sales, we calculated a proxy for entered value of sales, based on the price information available and appropriate adjustments (e.g., insurance, freight, U.S. brokerage and handling, U.S. profit, and any other items, as appropriate, on a company-specific basis).

For calculation of the ESP assessment rate, entries for which liquidation was suspended, but for which antidumping duties never became due through operation of the "Roller Chain" rule, are included in the assessment rate denominator to avoid over-collecting. (The "Roller Chain" rule excludes from the collection of antidumping duties bearings that were imported by a related party and further processed, and that comprise less than one percent of the finished product sold to the first unrelated customer in the United States. See the section on Assessment, Deposit Rates and Reimbursement in the Issues Appendix.)

These administrative reviews and this notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1) and 19 CFR. 353.22 (1990).

On July 7, 1993, Barbara R. Stafford, then Acting Assistant Secretary for Import Administration, signed a final results notice on antifriction bearings for the 1991–92 review period, and we issued copies of the signed notice to all interested parties. On July 15, 1993, the Court of International Trade issued a temporary restraining order prohibiting the Department from publishing final results with respect to NSK and RHP for the 1991–92 review period. Therefore, we have amended the final notice by removing the final dumping margins that we calculated for NSK and RHP. To the extent that issues discussed in this notice affect NSK and RHP, the issues and our conclusions have no effect until the Court permits the Department to publish the final results with respect to these two companies for the 1991–92 review period.

Dated: July 16, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

Scope Appendix

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Scope of the Orders

A. Description of the Merchandise

The products covered by these orders, antifriction bearings (other than tapered roller bearings), mounted or unmounted, and parts thereof (AFBs), constitute the following classes or kinds of merchandise:

1. Ball Bearings and Parts Thereof: These products include all AFBs that employ balls as the roller element. Imports of these products are classified under the following categories: Antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof, and housed or mounted ball bearing units and parts thereof.

Imports of these products are classified under the following Harmonized Tariff Schedule (HTS) subheadings: 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.10, 8482.99.70, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.99.50.

2. Cylindrical Roller Bearings, Mounted or Unmounted, and Parts Thereof: These products include all AFBs that employ cylindrical rollers as the rolling element. Imports of these products are classified under the following categories: Antifriction rollers, all cylindrical roller bearings (including split cylindrical roller bearings) and parts thereof, housed or mounted cylindrical roller bearing units and parts thereof.

Imports of these products are classified under the following HTS subheadings: 8482.50.00, 8482.80.00, 8482.91.00, 8482.99.70, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.99.50.

3. Spherical Plain Bearings, Mounted or Unmounted, and Parts Thereof: These products include all spherical plain bearings that employ a spherically shaped sliding element, and include spherical plain rod ends.

Imports of these products are classified under the following HTS subheadings: 8483.30.40, 8483.30.80, 8483.90.20, 8483.90.30, 8485.90.00, 8708.99.50.

The HTS item numbers are provided for convenience and Customs purposes. They are not determinative of the products subject to the orders. The written description remains dispositive.

Size or precision grade of a bearing does not influence whether the bearing is covered by the orders. These orders cover all the subject bearings and parts thereof (inner race, outer race, cage, rollers, balls, seals, shields, etc.) outlined above with certain limitations. With regard to finished parts, all such parts are included in the scope of these orders. For unfinished parts, such parts are included if (1) they have been heat treated, or (2) heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by these orders are those that will be subject to heat treatment after importation.

The ultimate application of a bearing also does not influence whether the bearing is covered by the orders. Bearings designed for highly specialized applications are not excluded. Any of the subject bearings, regardless of whether they may ultimately be utilized in aircraft, automobiles, or other equipment, are within the scope of these orders.

B. Scope Determinations

Since the antidumping duty orders on AFBs went into effect, the Department has issued numerous clarifications of the scope of the orders. The following is a compilation of the scope rulings the Department has made.

Scope rulings made in the Final Determinations of Sales at Less than Fair Value; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from the Federal Republic of Germany (AFBs Investigation of SLTFV), 54 FR 19006, 19019 (May 3, 1989):

Products covered:

- Rod end bearings and parts thereof
- AFBs used in aviation applications
- Aerospace engine bearings
- Split cylindrical roller bearings
- Wheel hub units
- Slewing rings and slewing bearings
- Wave generator bearings
- Bearings (including mounted or housed units, and flanged or enhanced bearings) ultimately utilized in textile machinery

Products excluded:

- Plain bearings other than spherical plain bearings
- Airframe components unrelated to the reduction of friction
- Linear motion devices
- Split pillow block housings
- Nuts, bolts, and sleeves that are not integral parts of a bearing or attached to a bearing under review
- Thermoplastic bearings
- Stainless steel hollow balls
- Textile machinery components that are substantially advanced in function(s) or value
- Wheel hub units imported as part of front and rear axle assemblies; wheel hub units that include tapered roller bearings; and clutch release bearings that are already assembled as parts of transmissions

Scope rulings completed between April 1, 1990 and June 30, 1990. See Scope Rulings, 55 FR 42750 (October 23, 1990):

Products excluded:

- Antifriction bearings, including integral shaft ball bearings, used in textile machinery and imported with attachments and augmentations sufficient to advance their function beyond load-bearing/friction-reducing capability

Scope rulings completed between July 1, 1990 and September 30, 1990. See Scope Rulings, 55 FR 43020 (October 25, 1990):

Products covered:

- Rod ends
- Clutch release bearings
- Ball bearings used in the manufacture of helicopters
- Ball bearings used in the manufacture of disk drives

Scope rulings completed between April 1, 1991 and June 30, 1991. See Notice of Scope Rulings, 56 FR 36774 (August 1, 1991):

Products excluded:

- Textile machinery components including false twist spindles, belt guide rollers, separator rollers, damping units, rotor units, and tension pulleys

Scope rulings published in Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof; Final Results of Antidumping Administrative Review (AFBs I), 56 FR 31692, 31696 (July 11, 1991):

Products covered:

- Load rollers and thrust rollers, also called mast guide bearings
- Conveyor system trolley wheels and chain wheels

Scope rulings completed between July 1, 1991 and September 30, 1991. See Scope Rulings, 56 FR 57320 (November 8, 1991):

Products covered:

- Snap rings and wire races
- Bearings imported as spare parts
- Custom-made specialty bearings

Products excluded:

- Certain rotor assembly textile machinery components
- Linear motion bearings

Scope rulings completed between October 1, 1991 and December 31, 1991. See Notice of Scope Rulings, 57 FR 4597 (February 6, 1992):

Products covered:

- Chain sheaves (forklift truck mast components)
- Loose boss rollers used in textile drafting machinery, also called top rollers
- Certain engine main shaft pilot bearings and engine crank shaft bearings

Scope rulings completed between January 1, 1992 and March 31, 1992. See Scope Rulings, 57 FR 19602 (May 7, 1992):

Products covered:

- Ceramic bearings
- Roller turn rollers
- Clutch release systems that contain rolling elements

Products excluded:

- Clutch release systems that do not contain rolling elements
- Chrome steel balls for use as check valves in hydraulic valve systems

Scope rulings completed between April 1, 1992 and June 30, 1992. See Scope Rulings, 57 FR 32973 (July 24, 1992):

Products excluded:

- Finished, semiground stainless steel balls
- Stainless steel balls for non-bearing use (in an optical polishing process)

Scope rulings completed between July 1, 1992 and September 30, 1992. See Scope Rulings, 57 FR 57420 (December 4, 1992).

Products covered:

- Certain flexible roller bearings whose component rollers have a length-to-diameter ratio of less than 4:1
- Model 15BM2110 bearings

Products excluded:

- Certain textile machinery components

Scope rulings completed between October 1, 1992 and December 31, 1992. See Scope Rulings, 58 FR 11209 (February 24, 1993).

Products covered:

- Certain cylindrical bearings with a length-to-diameter ratio of less than 4:1

Products excluded:

- Certain cartridge assemblies comprised of a machine shaft, a machined housing, and two standard bearings

Scope rulings completed between January 1, 1993 and March 31, 1993. See Scope Rulings, 58 FR 27542 (May 10, 1993).

Products covered:

- Certain cylindrical bearings with a length-to-diameter ratio of less than 4:1

Scope rulings completed after March 31, 1993.

Products covered:

- Certain series of INA bearings

Products excluded:

- SAR series of ball bearings
- Certain eccentric locking collars that are part of housed bearing units

Company Abbreviations

Asahi—Asahi Seiko Company
Barden—The Barden Corporation (U.K.) Ltd.; The Barden Corporation
Cooper—Cooper Bearings Ltd.; Cooper Roller Bearings Co. Ltd.
Dassault—Dassault Industries
Emerson—Emerson Power Transmission Corp.
FAG-Germany—FAG Kugelfischer Georg Schaefer KGaA
FAG-Italy—FAG Italia S.p.A.; FAG Bearings Corp.
FAG-UK—FAG (UK) Ltd.
Federal-Mogul—Federal-Mogul Corporation
Fichtel & Sachs—Fichtel & Sachs AG; Sachs Automotive Products Co.
Fujino—Fujino Ironworks Co., Ltd.
GMN—Georg Muller Nurnberg AG; Georg Muller of America
Honda—Honda Motor Co., Ltd.; American Honda Motor Co., Inc.
IJK—Inoue Jikuuke Kogyo Co., Ltd.
INA—INA Walzlager Schaeffler KG; INA Bearing Company, Inc.
Izumoto—Izumoto Seiko Co., Ltd.
Koyo—Koyo Seiko Co. Ltd.
Meter—Meter S.p.A.
Nachi—Nachi-Fujikoshi Corp.; Nachi America, Inc.; Nachi Technology Inc.
Nakai—Nakai Bearing Company, Ltd.
Nankai—Nankai Seiko Co., Ltd.
NMB/Pelmec—NMB Singapore Ltd.; Pelmec Industries (Pte.) Ltd.; NMB Thai, Ltd.; Pelmec Thai, Ltd.
NPBS—Nippon Pillow Block Manufacturing Co., Ltd.; Nippon Pillow Block Sales Co., Ltd.; FYH Bearing Units USA, Inc.
NSK—Nippon Seiko K.K.; NSK Corporation
NSK-Europe—NSK Bearings Europe, Ltd.
NTN-Germany—NTN Kugellagerfabrik (Deutschland) GmbH
NTN—NTN Corporation; NTN Bearing Corporation of America; American NTN Bearing Manufacturing Corporation
NWG—Neuweg Fertigung GmbH
Osaka Pump—Osaka Pump Co., Ltd.
Peer Int'l—Peer International, Ltd.
RHP—RHP Bearings; RHP Bearings Inc.
Showa—Showa Pillow Block Manufacturing Company
SKF-France—SKF Compagnie d'Applications Mecaniques, S.A. (Clamart); ADR; SARMA
SKF-Germany—SKF GmbH; SKF Service GmbH; Steyr Walzlager
SKF-Italy—SKF Industrie; RIV-SKF Officina de Villar Perosa; SKF Cuscinetti Speciali; SKF Cuscinetti; IUT
SKF-Sweden—AB SKF; SKF Mekanprodukter AB; SKF Sverige
SKF-UK—SKF (UK) Limited; SKF Industries; AMPEP Inc.
SKF Group—SKF-France, SKF-Germany, SKF-Italy, SKF-Sweden, SKF-UK, SKF USA Inc.
SNECMA—Societe Nationale d'Etude et de Construction de Moteurs d'Aviation
SNFA—SNFA Bearings, Ltd.
SNR—SNR Roulements; SNR Bearings USA, Inc.
Takeshita—Takeshita Seiko Company
TIE—Tehnoimportexport
Torrington—The Torrington Company
Tottori (KYK)—Tottori Yamakai Bearing Seisakusho, Ltd.
Turbomeca—Turbomeca
Valeo—Valeo S.A.

1. Annual POR Averaging

Comment: Izumoto argues that insufficient home market matches were found for its U.S. sales because the Department averaged home market prices on a monthly, not POR, basis. This is due to the Department's establishment of an arbitrary Pearson correlation coefficient threshold of 0.05 that measures whether prices vary significantly over time. Izumoto notes that it passed the Department's "test" regarding price stability in that over ninety percent of its POR weighted-average prices did not vary by more than ten percent from their monthly-weighted average prices. Therefore, in lieu of resorting to constructed value, the Department should relax the correlation coefficient threshold and recognize home market sales outside the 90/60 day window as contemporaneous to Izumoto's U.S. sales.

Similarly, SNR contests the Department's decision not to use annual averages of its home market sales of U.K.-origin bearings, in light of its use of POR averages of its home market sales of French-origin bearings. SNR explains that its sales of U.K.-origin bearings are more than ninety percent stable throughout the POR whether measured by quantity or value. In

addition, the Pearson correlation coefficient for U.K.-origin bearings deviates only slightly from that for the French-origin bearings because only one or two U.K. models exhibit some direct price/time correlation. SNR argues that the Department should consider that U.K.- and French-origin CRBs are sold in the same market, through the same channels of trade, and to the same types of customers, and conclude that as a class of bearings, sales of CRBs do not show a significant correlation between price and time. The Department should, therefore, give little weight to the results of the Pearson test for bearings of U.K. origin and exercise its discretion to use annual average, instead of POR average, FMVs.

Showa disputes the Department's decision to use monthly rather than POR average FMVs as well. Showa explains that it reviewed its third country sales database and found no variance between sales prices of the same model over time. Therefore, POR weighted-average prices should be as representative as monthly weighted-average prices. Showa requests that the Department use POR, rather than monthly, weighted-average third country prices for comparison with U.S. sales in the margin analysis.

Department's Position: In deciding whether to calculate POR weighted-averaged FMVs for Izumoto and SNR, we performed the tests on home market sales databases as outlined in our preliminary results to determine whether: (1) There was a minimal variance between monthly and POR weighted-average prices; and (2) there was any significant correlation between fluctuations in price and time for these two companies. While we found that the POR weighted-average FMVs for more than 90 percent of Izumoto's and SNR's sales were within plus or minus ten percent of their monthly weighted-average prices, our second test revealed significant correlations between price and time. Where home market prices have a tendency to rise or fall over time, we consider POR weighted-average prices to be unrepresentative of monthly weighted-average prices. Although Izumoto claims that we chose an arbitrary coefficient threshold, Izumoto has not explained why our threshold is unreasonable and has not provided any other information regarding a more appropriate threshold.

Section 773(a)(1) of the Tariff Act requires that foreign market value "shall be the price, *at the time such merchandise is first sold* in the United States" (emphasis added). The Department had traditionally satisfied this timing requirement by comparing U.S. prices to foreign market prices established in the same *month* as the U.S. sale or a single month not more than three months before or two months after the month of the U.S. sale. To depart further in time from same-month prices (or reasonably contemporaneous monthly prices) requires strong assurance that the difference in time would not affect foreign market value. Because we are satisfied that the correlation level selected gives assurance that no significant price trends over the POR exist, we have not changed our test for the final results. Therefore, we have continued to use monthly weighted-average FMVs for Izumoto's home market sales and for SNR's sales of U.K.-origin bearings.

With respect to Showa, we examined the company's third country sales data and found, as Showa noted in its case brief, that there was no variance in prices of individual models over time. Therefore, we used POR weighted-average third country prices as the basis for Showa's FMVs in these final results.

2. Assessment

Comment 1: Torrington maintains that the Department should conclude that antidumping duty reimbursement has taken place between a foreign firm and its related U.S. importer in instances where (1) the average transfer price is less than the cost of production plus profit calculated on a weighted-average basis, and (2) the Department has preliminarily determined that dumping margins exist. Torrington contends that, in accordance with 19 CFR 353.26(a), the Department should adjust USP downward to account for the potential reimbursement of antidumping duties that allegedly occurs between the parent and subsidiary through the manipulation of transfer prices.

Torrington argues that modern multinational corporations can move funds internationally through the management of transfer prices. In Torrington's view, "transfer price must be judged by objective criteria, and that the most appropriate of these is cost plus profit." Torrington maintains that the Department should therefore assume that related parties have internationally transferred funds for purposes that probably include the minimizing of tariffs and taxes.

Torrington holds that its argument on reimbursement was rejected by the Department in the last AFB reviews on the basis of contradictory rationales. Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.; Final Results of Antidumping Duty Administrative Reviews (AFBs II), 57 FR 28360, 28317 (June 24, 1992). Torrington contends that, on the one hand, the Department concluded that the reimbursement regulation does not apply in "exporter's sales price" situations because the antidumping law is not concerned with intra-company transfers but, on the other hand, the Department held that Torrington did not demonstrate a link between transfer prices and actual payments of antidumping duties. Torrington argues that, based on the latter reasoning, if reimbursement can be established in ESP situations through appropriate links, the regulation applies. In any case, Torrington argues that both of the Department's rationales lack merit. It is Torrington's view that the reimbursement rule has always applied to both PP and ESP situations. Also, Torrington argues that money is fungible and that it should not be necessary to show any link between transfer prices and payment of dumping duties. Alternatively, Torrington argues that the Department "should consider low transfer prices as prima facie evidence establishing a presumption of reimbursement and the Department should require importers to come forth with evidence convincingly establishing a contrary conclusion."

Respondents counter with several different arguments. First, many respondents assert that reimbursement is not taking place. The SKF Group and GMN state that their U.S. subsidiaries have not been, nor will be, reimbursed for any dumping duties owed through the manipulation of transfer prices or otherwise. Furthermore, FAG-Italy argues that the analysis program used to calculate the ratio of transfer price to COP presented by Torrington to support its arguments is unreliable. It asserts that there are innumerable variables, any one of which can seriously affect the ultimate figure, apparently unaccounted for in the calculation. Thus, FAG-Italy argues that Torrington's statistical analysis for deriving the ratio of transfer price to cost of production is unreliable and should be disregarded.

In addition, several respondents observe that the test suggested by Torrington does not appear anywhere in the antidumping law. According to INA, the statute does not provide for a test to determine whether or not export transfer prices between related parties are at less than cost of production plus profit. The SKF Group and FAG assert that a transfer of goods between a foreign producer and its U.S. affiliate is not an ESP transaction and, therefore, is not subject to the statute's provisions concerning reimbursement and not relevant to the calculation of USP,

which is based on the sales price to the first unrelated U.S. customer.

Respondents also argue that transfer price manipulation, even if it did occur, does not mean that reimbursement is taking place. For example, INA states that any transfer prices that fail to meet Torrington's test do not constitute payment or reimbursement of antidumping duties. Koyo argues that Torrington fails to provide any logical connection between the practice of intra-corporate transfers of funds and the reimbursement of antidumping duties. Koyo reasons that any indirect financing or payment from a parent company to its U.S. affiliate is not evidence of reimbursement of duties, but rather a routine business practice that may fulfill any of a myriad of corporate objectives. GMN contends that under Torrington's proposal any transfer of value of any type from the parent to the U.S. subsidiary would constitute a reimbursement of dumping duties. GMN adds that the fungibility of money makes it entirely impossible to use intra-company flows of value (whether money or some other form, such as assists, etc.) as an indicator of reimbursement of dumping duties. GMN argues that this is the precise reason that the reimbursement provision of the regulations is not implicated when goods are transferred between related parties at less than cost. Koyo maintains that any such transfer is, in any event, internal and not relevant to the antidumping law. Moreover, the SKF Group, FAG, GMN, and Koyo argue that the reimbursement provision in the statute does not apply to transactions between related parties because the statute treats related companies as a single entity.

The SKF Group reasons that because the Department treats a foreign producer and its U.S. subsidiary as a single entity for all purposes in calculating weighted-average margins, it cannot treat the two companies as separate entities for purposes of the duty payment. The SKF Group argues that, although 19 CFR 353.26(a)(1) does require that, in calculating U.S. price, the Department "will deduct the amount of any antidumping duty which the producer or reseller: (i) Paid directly on behalf of the importer; or (ii) reimbursed to the importer," it does not apply to related parties because according to section 771(13), in transactions involving a foreign producer and its related U.S. affiliate, both entities are defined as the "exporter." Since in this situation the exporter and importer are the same entity, a reimbursement could not take place. FAG and Koyo also contend that a parent company and its affiliates, including any U.S. subsidiary, are always considered to be a consolidated entity for dumping purposes.

Finally, FAG argues that U.S. subsidiaries cannot have been reimbursed already for duties paid because a dumping duty exists as a matter of law only after U.S. Customs liquidates the entry and the amount of the dumping duty on that entry is known. FAG states that because the liquidation of entries for the ESP sales reported by FAG and the other principal respondents has been suspended since November, 1988, no dumping duties have been assessed. Accordingly, FAG asserts that no antidumping duties have actually been paid yet and, therefore, no reimbursements for antidumping duties can exist.

Department's Position: As stated in AFBs II, 57 FR at 28371, the antidumping statute and regulations make no distinction in the calculation of USP between costs incurred by a foreign parent company and those incurred by its U.S. subsidiary. Therefore, the Department does not make adjustments to U.S. price based upon intracompany transfers of any kind. Indeed, the Department has a long-standing practice of denying adjustments for intra-company payments on the grounds that, because affiliated companies are a single entity for the purposes of antidumping law, payments from a parent company to its subsidiary are not expenses to the consolidated corporation as a whole. See Final Determination of Sales at Less Than Fair Value; Mechanical Transfer Presses from Japan, 55 FR 335 (January 4, 1990); Final Determination of Sales at Less Than Fair Value; Industrial Phosphoric Acid From Belgium, 52 FR 25436 (July 7, 1987).

We agree with SKF that because we treat a foreign producer and its U.S. subsidiary as a single entity for all purposes in calculating weighted-average margins, we cannot treat the two companies as separate entities for purposes of the duty payment. The governing statute and regulations do not contemplate applying the reimbursement provision to related parties in an ESP situation.

Comment 2: Federal-Mogul argues that the actual antidumping duties paid at the time of liquidation constitute additional costs, charges and expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States and, to the extent such duties are included in USP, must be deducted. Federal-Mogul states that this deduction extends to situations in which assessed antidumping duties are reimbursed by the foreign producer or reseller to an unrelated importer or are paid by an importer that is related to the foreign producer. Therefore, Federal-Mogul concludes that in ESP situations, where antidumping duties are paid and absorbed by the related importer, a deduction must be made for these antidumping duties under section 772(d)(2)(A) of the Tariff Act.

Federal-Mogul also finds justification for removing antidumping duties from ESP under the Department's reimbursement regulation (19 CFR 353.26(a)). Federal-Mogul asserts that antidumping payments by a related importer are actually payments by the foreign producer under section 771(13) of the Tariff Act. Therefore, absent evidence to the contrary, reimbursement is always occurring under the ESP framework, and antidumping duties should be removed from ESP as a matter of course.

FAG and RHP argue that since it is virtually impossible to link entries with ESP sales, it is equally impossible to determine either the fact or the extent to which the foreign producer or its related importer are not including the antidumping duties in the price to the first unrelated U.S. buyer. FAG also maintains that, since liquidation of its entries have been suspended since November of 1988 to date, the only payments made so far have been of estimated dumping duties, and such payments cannot affect the USP calculation. Finally, FAG contends that the reimbursement regulation under 19 CFR 353.26 does not apply to ESP sales since this provision is directed solely at importers, and FAG's unrelated U.S. customers are not importers and have no liability for payment of dumping duties.

RHP states that for purposes of this issue, a foreign parent and a U.S. sales subsidiary should be treated as an integrated entity. However, RHP does not agree that the reimbursement regulation is automatically triggered by this relationship and cites AFBs II, 57 FR 28360.

NSK argues that the antidumping statute does not allow the Department to adjust USP to compensate for the alleged reimbursement of antidumping duties. In addition, NSK states that the Department's November 1985 "Study of Antidumping Adjustments Methodology and Recommendations for Statutory Change" confirms that the Department has no legal basis for deducting estimated antidumping duties from ESP.

Koyo states that the "estimated antidumping duty expenses are not expenses related to sales of the merchandise in the ordinary sense of

the term", and thus they reject Federal-Mogul's argument.

Department's Position: We disagree with Federal-Mogul. The Department's consistent practice has been not to deduct from ESP antidumping duties or antidumping duty-related expenses. Antidumping duties are intended to offset the effect of discriminatory pricing between two markets. To make an additional deduction from ESP for the same antidumping duties that correct this price discrimination results in double-counting. See Final Results of Antidumping Administrative Review; Television Receivers, Monochrome and Color, from Japan, 54 FR 13917 (April 6, 1989); Final Results of Antidumping Administrative Review; Television Receivers, Monochrome and Color, from Japan, 54 FR 26225 (June 27, 1990); Final Results of Antidumping Administrative Review; Color Television Receivers from the Republic of Korea, 55 FR 35916 (September 4, 1990), at Comment 4; Fresh Cut Flowers from Colombia, 55 FR 20491 (May 17, 1990), at Comment 62. Thus, we have not deducted these expenses from ESP in this case.

Comment 3: The FAG Group (Barden, FAG-UK, FAG-Italy, and FAG-Germany) argue that the Department's assessment rate methodology is flawed. They state that the Department acted contrary to law in basing the FAG Group's assessment rate on the entered values of reviewed sales rather than upon the actual review period entered values as submitted by the respondents on the record. They argue that the best information on the record of the value of subject merchandise actually imported by the FAG Group is the actual entered values for the POR and that this is what should be used in calculating the assessment rate. According to respondents, the current methodology used by the Department can lead to an overcollection of dumping duties, above and beyond the actual amount due.

Both Torrington and Federal-Mogul argue that the Department's current assessment methodology is reasonable and valid. They cite *GMN Georg Muller Nurnberg, AG* v. *United States*, 17 CIT_____, Slip Op. 93–54 (April 20, 1993) in which the Court upheld the Department's method, finding it reasonable, supported by substantial evidence, and otherwise in accordance with law.

Department's Position: Section 751 of the Tariff Act requires that the Department calculate the amount by which the foreign market value exceeds the U.S. price and assess antidumping duties on the basis of that amount. However, there is nothing in the statute that dictates how the actual assessment rate is to be determined from that amount.

In accordance with section 751, we calculated the amount of the difference between FMV and USP (the dumping margin) for all reported U.S. sales. For PP sales we have calculated assessment rates based on the total of these differences such that each importer is only liable for the duties related to its entries. In ESP cases, the Department generally cannot tie sales to entries and therefore cannot link the amount of antidumping duties determined for any specific sale to the specific entry or entries of that same merchandise. In addition, determination of antidumping duties for every entry based on the sale of that merchandise is impossible where dumping margins have been based on sampling, even if sales could be tied to entries. Therefore, in order to achieve a fair assessment of antidumping duties on all entries during the POR, we have expressed the difference between FMV and USP as a percentage of the entered value of the examined sales for each exporter/importer (ad valorem rates). We will direct the U.S. Customs Service to assess antidumping duties by applying that percentage to the entered value of each of that importer's entries of subject merchandise under the relevant order during the review period.

This approach is equivalent to dividing the aggregate dumping margins, i.e., the difference between statutory FMV and statutory USP for all sales reviewed, by the aggregate USP value of those sales and adjusting the result by the average difference between USP and entered value for those sales and thus, is consistent with the statute.

While we are aware that the entered value of sales during the POR is not necessarily equal to the entered value of entries during the POR, use of entered value of sales as the basis of the assessment rate permits the Department to collect a reasonable approximation of the antidumping duties that would have been determined if we had reviewed those sales of merchandise actually entered during the POR.

While it may also be reasonable, at least with regard to non-sampled ESP sales, to attempt to collect the total antidumping duties by using entries as a vehicle for the collection of duties, the Department has determined that it would be necessary to obtain the entered value of unliquidated entries during the review period in order to employ this alternative method. Such information was not available to the Department for these final results.

Comment 4: With respect to its parts and bearings that are further processed in the United States, NSK argues that the imported parts and bearings are insignificant in relation to the total cost of the final product and that the Department should "drop its Section E calculation from the final results of the administrative review and base the dumping margin of imported parts used in U.S. finished bearings on the margin for imported finished bearings of the same class or kind."

Torrington argues that the Department should continue to analyze whether imported parts subject to further manufacture are being dumped in the United States, and thus should reject NSK's claim.

Department's Position: We agree with Torrington. As explained in previous reviews (see AFBs II, 57 FR 28360) pursuant to the "Roller Chain" rule the Department disregards dumping duties only on those bearings that were imported by a related party and further processed, and that comprise less than one percent of the value of the finished product sold to the first unrelated customer in the United States. In fact, NSK's data indicate that bearings sold to its related party in the U.S. comprise more than 1% of the value of the finished good produced by the related party. Thus, the Department has rejected NSK's claim that NSK's imported parts and bearings should not be subject to further manufacturing analysis.

Comment 5: Torrington argues that the Department should not accept the methodology employed by Koyo to determine whether sales of scope merchandise to related parties constitute greater than one percent of the resale value of the finished product. Torrington notes that Koyo used estimated resale prices and weighted-average entered values for which it supplied no supporting documentation. Torrington asserts that the use of weighted-average entered values skewed the "Roller Chain" analysis, and therefore should be rejected by the Department. Accordingly, Torrington argues that the claimed "Roller Chain" sales should not be excluded and the Department should apply the BIA margin of 73.55 percent to these sales.

Koyo argues that it was necessary to use estimated resale prices due to the fact that the companies to which Koyo sells its subject merchandise do not consider themselves related to Koyo and will not divulge their pricing information. Koyo asserts that Torrington has not supported its assertion that the estimated resale prices are unreliable. Koyo further argues that the use of a weighted-average entered

value was necessary and appropriate because Koyo sold several different bearing products, each of which had a different entered value, and all of which were functionally equivalent to domestically supplied bearing products in the production of finished products. According to Koyo, there is no way to determine which scope products were used in the production of which further manufactured units both because its U.S. affiliates refused to provide Koyo with any information and because both foreign and domestically supplied bearing products are fungible and untraceable.

Department's Position: We disagree with Torrington. In this case, the products under review are fungible merchandise, and are often untraceable in the production process. Therefore, we realize that it is occasionally necessary to use estimates based on weighted averages. Koyo's use of weighted averages provided a reasonable measure of whether the imported scope merchandise was an insignificant percentage of the value of the finished product. Furthermore, since the imported merchandise could not be reliably linked to the specific finished products, Koyo's average experience is a reasonable indication of the significance of the imported merchandise in the finished product. Finally, there is no evidence on the record to indicate that the estimated resale prices submitted by Koyo are unreliable and should be rejected in favor of BIA.

The Department has thus determined that Koyo reported relevant information as to its "Roller Chain" claim, and that the methods it used in the reporting were reasonable. This decision is consistent with *Allied-Signal Aerospace Company et al.*, v. *United States et al.*, Slip Op. 93–1049 (June 22, 1993), where the Court of Appeals held that the Department cannot resort to BIA "by ignoring alternative and simplified reporting methods to generate relevant information."

Comment 6: Torrington contends that assessment rates and cash deposit rates should both be calculated in the same manner, with total PUDD (potential uncollected deposit duties) divided by total customs entered value. The Department's policy of calculating the cash deposit rate as a percentage of statutory USP rather than as a percentage of entered value has the likely effect of systematically understating estimated duties on future entries of imported bearings sold in ESP transactions.

SKF, RHP, FAG, Koyo, INA, and GMN disagree with Torrington. Respondents argue that it has been the Department's consistent practice to use USP as the denominator in calculating the cash deposit rate and to apply this rate to the entered value of future imports of the subject merchandise. *See Color Television Receivers from Taiwan*, 51 FR 46,895 (date, 1986), affirmed *Zenith Electronics Corp.* v. *United States*, 770 F. Supp. 648, 654–55 (CIT 1991). The Department's methodology in this regard is statutorily prescribed under section 736(c)(3) of the Tariff Act. Moreover, the Court has repeatedly upheld the Department's methodology as reasonable and in accordance with the antidumping statute. *See Torrington Co.* v. *NTN Bearing Corp. of America*, No. 91–08–00569, 1993 WL 99975, at 4–5 (CIT, March 29, 1993).

Respondents contend that Torrington's argument fails to adequately take into account that, under any method of calculating cash deposit rates, cash deposits are unlikely to equal the amount by which FMV exceeds USP. By their very nature, cash deposits are merely estimates of future dumping liability. If actual duty levels exceed the cash deposits, the Department will instruct the Customs Service to collect the difference with interest.

Respondents assert that Torrington has failed to demonstrate that its methodology would result in a more accurate estimation of the duty. Torrington assumes, without any basis in fact, that the future USP will be the same as the current USP and that the future USP will always be greater than entered value. Fluctuations in pricing and expenses, however, can and do occur even in a single review period.

NTN and Emerson argue that the Department should calculate importer-specific cash deposit rates, as well as importer-specific assessment rates. Torrington does not disagree, provided that the calculation of importer-specific cash deposit rates is practical.

Department's Position: We disagree with Torrington, NTN and Emerson. First, as we stated in the final results of the first administrative reviews of AFBs, at 56 FR 31670, we do not accept the argument that the assessment rate must be calculated in exactly the same manner as the deposit rate. Section 751 of the statute merely requires that both the deposit rate and the assessment rate be derived from the same FMV/USP differential.

Furthermore, under any method of calculating cash deposit rates, there would be no certainty that the cash deposit rate would cause an amount to be collected that is equal to the amount by which foreign market value exceeds U.S. price. As we have stated on numerous occasions, duty deposits are merely estimates of future dumping liability. See AFBs II, 57 FR 28377, Comment 4. If the amount of the deposits is less than the amount ultimately assessed, the Department will instruct the U.S. Customs Service to collect the difference with interest, as provided for under sections 737 and 778 of the Tariff Act and 19 CFR 353.24.

Comment 7: NTN argues that the Department should instruct Customs to refund cash deposits on merchandise that was subsequently re-exported from the United States. Torrington does not disagree, but expresses concern about the Department's ability to trace re-exported merchandise to the original customs entries.

Department's Position: We disagree with NTN. Because NTN has failed to demonstrate that any of its sales are re-exported by its related U.S. subsidiary, we have not excluded any of NTN's imports from our analysis and will therefore not order Customs to refund cash deposits made by NTN on that merchandise.

Comment 8: Torrington argues that the Department should revise the entered values that NMB/Pelmec-Singapore reported for two bearing models. According to Torrington, NMB/Pelmec reported artificially high entered values for these two models because it did not deduct the value of U.S.-made rubber seals from the total value of the imported bearing, despite the fact that it deducted the value of such seals from the value used to compute U.S. import duties. Torrington is concerned that these artificially high entered values could understate the amount of antidumping duties collected if used to allocate the calculated duties. As a result, Torrington requests that the Department use as entered value of these bearings the actual customs value, net of the value of U.S.-made seals, that NMB/Pelmec used elsewhere in its response.

NMB/Pelmec responds that it submitted in its questionnaire responses documents demonstrating that the value on which it paid cash deposits of estimated antidumping duties included the value of the U.S.-made rubber seals. As a result, NMB/Pelmec argues that it would be inappropriate to reduce the entered value of the bearings in question.

Department's Position: We agree with NMB/Pelmec. Our review of the Customs entry documentation submitted by NMB/Pelmec for the bearing models in question reveals that while Customs did not assess regular import duties on U.S.-made rubber seals, it collected cash deposits of estimated antidumping duties on the

total entered value of the bearings in question, including the U.S.-made rubber seals. Therefore, we have not revised the entered values that NMB/Pelmec reported for these two models for these final results.

3. Best Information Available

Section 776(c) of the Tariff Act requires the Department to use BIA "whenever a party or any other person refuses or is unable to produce information requested in a timely manner or in the form required, or otherwise significantly impedes an investigation * * *."

In deciding what to use as BIA, the Department's regulations provide that the Department may take into account whether a party refuses to provide requested information. 19 CFR 353.37(b). Thus, the Department may determine, on a case-by-case basis, what constitutes BIA. For the purposes of these final results of review, we applied the following two tiers of BIA in situations where we were unable to use a company's response for purposes of determining that company's dumping margin (the two tiers apply only to total BIA, i.e., BIA applied to all sales of a company or to certain groups of sales of a company):

1. When a company refused to cooperate with the Department or otherwise significantly impeded these proceedings, we used as BIA the higher of (1) the highest of the rates found for any firm for the same class or kind of merchandise in the same country of origin in the less than fair value investigation or prior administrative reviews; or (2) the highest rate found in this review for any firm for the same class or kind of merchandise in the same country of origin.

2. When a company substantially cooperated with our requests for information and, substantially cooperated in verification, but failed to provide the information requested in a timely manner or in the form required or was unable to substantiate it, we used as BIA the higher of (1) the highest rate ever applicable to the firm for the same class or kind of merchandise from either the LTFV investigation or a prior administrative review or if the firm has never before been investigated or reviewed, the all others rate from the LTFV investigation; or (2) the highest calculated rate in this review for the class or kind of merchandise for any firm from the same country of origin.

Listed below is a company-by-company summary of our two-tier use of total BIA applied in these final results of review. Total BIA was applied where we were unable to use a company's response for purposes of determining that company's dumping margin for all sales, or for certain groups of sales. We also applied partial BIA to certain firms. Our use of partial BIA is also described below.

A. First-Tier BIA

(i) *SNFA-France*: SNFA did not respond to our questionnaire. Therefore, we applied the first-tier BIA to each class or kind of merchandise.

(ii) *Valeo-France*: Valeo did not respond to our questionnaire. Therefore, we applied the first-tier BIA to each class or kind of merchandise.

B. Second-Tier BIA

We did not apply second-tier BIA to all sales for any firms under review. However, we did apply second-tier BIA to certain of sales for some firms, as explained below.

C. Partial BIA

In certain situations, we found it necessary to use partial BIA. Partial BIA was applied in cases where we were unable to use some portion of a response in calculating a dumping margin. In some cases, partial BIA was based on the second-tier method described above. The following is a general description of the Department's methodology for those situations.

In cases where a firm was deemed cooperative but failed to supply certain FMV information (e.g., corresponding home market sales within the contemporaneous period or constructed value data for a few U.S. sales), we applied the BIA rate for cooperative firms (see above) to the particular U.S. transactions affected.

Where any deductions to home market prices or CV, such as freight or differences in merchandise, were not reported or reported incorrectly, we have assigned a value of zero. For comparisons of similar merchandise, if adjustment information for differences in merchandise was missing from the U.S. sales listing, we used the above hierarchy to determine the BIA rates to use as the margins for these particular transactions. If other U.S. adjustment information such as freight charges was missing, we used other transactional information in the response for these expenses. Where respondents did not establish that expenses were either indirect in the U.S. market or direct in the home market, we generally treated them as direct in the U.S. market and indirect in the home market.

We received the following comments concerning BIA issues:

Comment 1: Fichtel and Sachs objects to the Department's use of BIA for sales that did not have identical contemporaneous home market matches. Fichtel and Sachs argues that because it has cooperated fully in this review and because the number of unmatched sales is very small, the use of 68.89 percent (the "all others" rate from the investigation) is punitive and excessive. Fichtel and Sachs contends that in cases where an insignificant amount of matching data is unreported, the Department's policy is to use BIA based on the higher of (a) the LTFV rate for the firm (or the "all others" rate), or (b) the weighted-average margin for that firm in the current review. AFB's I 56 FR 31692, 31705 (July 11, 1991).

Although the 68.89 percent "all others" rate from the LTFV investigation is the BIA rate under this methodology, Fichtel and Sachs argues that 68.89 percent is unfair because Fichtel and Sachs is being treated as severely as any firm with significant unreported matching data. Fichtel and Sachs notes that the Department's use of BIA is discretionary and argues that the Department should use a less punitive BIA rate for the unmatched sales. As a BIA rate, Fichtel and Sachs suggests using either the highest company rate in the current review, the "all others" rate from the second administrative review, or, as the final alternative, Fichtel and Sachs' highest transaction margin in the current review.

Department's Position: We disagree with Fichtel and Sachs. We have followed the policy outlined above in using the second-tier BIA rate for Fichtel and Sachs' unmatched sales. In comparison with the BIA rate that Fichtel and Sachs would get under the first-tier 132.25 percent, the highest rate found in the investigation of BBs from Germany, the second-tier BIA rate of 68.89 percent used for Fichtel and Sachs' unmatched sales is not unduly severe and is reasonable.

Comment 2: Koyo and Izumoto argue that, while the Department defines the use of the highest previous rate for a respondent as a non-punitive BIA, the BIA rates of 73.55 percent applied to Koyo's "Roller Chain" sales and 45.83 percent applied to Izumoto's unmatched sales are in fact punitive and should not be used for the final results. *Koyo cites Holmes Prods. Corp. v. United States*, 795 F.Supp. 1205 (CIT 1992) to support its assertion that a punitive BIA rate should not be applied in cases where a company affiliated with a cooperative respondent refuses to cooperate. Koyo also argues that the approach used in Replacement Parts for Self-Propelled Bituminous Paving Equipment from Canada, 58 FR 15481, 15482–83 (March 23, 1993), in which the Department

used neutral information rather than BIA because "margins had been calculated on the overwhelming majority of the respondent's U.S. sales transactions," is equally appropriate in this situation. Koyo proposes that the Department apply the weighted-average margin calculated for Koyo's normal ESP sales.

Finally, Koyo argues that, if the Department continues to apply BIA for the final results, it should limit BIA to only that portion of the further manufactured sales that exceeded the one percent threshold. According to Koyo, the Department inappropriately applied BIA to all sales made to the related company rather than just to those sales that exceeded one percent of the finished product. Koyo requests that the Department correct this error for the final results.

Torrington argues that the use of 73.55 percent as the BIA rate is consistent with the Department's BIA policy as stated in *AFB's I* 56 FR 31692, 31705 (July 11,1991). Torrington alleges that Koyo errs in characterizing the highest BIA rate used by the Department as punitive, noting that the highest BIA rate would be 106.61 percent. Torrington also argues that the Department should apply the BIA rate to all sales made by Koyo to the related company regardless of Koyo's assertions that some sales constituted less than one percent of the further manufactured product at the time of sale to an unrelated party.

Department's Position: While Koyo has substantially cooperated with our requests for information, it has not provided the further manufacturing information necessary to analyze sales of subject merchandise that comprised over one percent of the finished product into which they were incorporated. Izumoto did not provide constructed value data or cost of manufacturing data (which could be used in creating a constructed value) for the observations where the BIA rate was used. Therefore, consistent with the Department's BIA policy as outlined above, we applied the second-tier BIA rate to those sales for which no information has been provided. Unlike the circumstances surrounding Replacement Parts for Self-Propelled Bituminous Paving Equipment from Canada, 58 FR 15481 (March 23, 1993), in which the Department used neutral information rather than BIA because the respondent did not have the opportunity to submit the missing data, Koyo was notified of its obligation to submit the missing further manufacturing information in the original questionnaire.

With respect to Torrington's argument that we should apply the BIA rate to all sales made by Koyo, we believe that it is reasonable for the Department to accept Koyo's estimates in determining which merchandise constituted less than one percent of the finished product sold to an unrelated party (See Comment 5 under Assessment). However, based on this information, certain merchandise exceeded the one percent threshold, and Koyo failed to provide the information required for further manufacturing analysis. Therefore for the final results, we applied the second-tier BIA rate of 73.55 percent to those sales of models where the value of the bearings exceeded one percent of the value of the finished product.

Comment 3: NMB/Pelmec argues that the Department should not apply BIA to certain U.S. sales made by the firm to related parties who incorporated the bearings into merchandise outside the scope of these reviews. NMB/Pelmec asserts that the statutory language governing the calculation of ESP refers only to U.S. sales of subject merchandise to unrelated parties. In this case, the merchandise sold to the first unrelated party falls outside the scope of the order. Therefore, NMB/Pelmec concludes that the Department does not have the authority to calculate dumping margins on U.S. sales of bearings to related parties who incorporate the bearings into non-subject merchandise.

NMB/Pelmec further asserts that even if its U.S. sales to related parties are subject to this review, the Department is not required to arrive at ESP by deducting further processing costs from the sale price of the non-subject merchandise. According to NMB/Pelmec, the statutory provisions requiring the deduction of additional costs incurred for further processing apply only when the subject merchandise maintains its identity after the further processing. NMB/Pelmec argues, however, that this provision does not apply in this case because it is inaccurate to describe the merchandise in question, fan motors, as further processed bearings. On this basis, NMB/Pelmec asserts that the Department has the discretion to resort to alternative methods of calculating dumping margins for U.S. sales to related parties who incorporate subject merchandise into non-subject merchandise. As a result, NMB/Pelmec concludes that because it made sales of bearings to related parties in the United States at arm's-length prices, the Department should forego the use of BIA and calculate dumping margins on U.S. sales prices to related parties.

Torrington supports the Department's use of BIA to calculate the dumping margins on these sales because NMB/Pelmec failed to report data on selling prices of the finished products and the associated further manufacturing expenses that the Department required for the calculation of dumping margins on the subject merchandise contained in the finished products. However, Torrington notes that the Department failed to apply BIA to the correct sales value total for this review, and, therefore, requests that the Department revise its computer program accordingly for the final results.

Department's Position: We agree with Torrington. Contrary to NMB/Pelmec's interpretation of the statute, the Department must calculate dumping margins for any merchandise subject to an antidumping duty order that enters the United States, regardless of whether that merchandise is first sold to an unrelated party in the form in which it enters the United States or as part of a product that is outside the scope of an antidumping duty order. We note, however, that when subject merchandise comprises an insignificant portion (i.e. less than one percent) of the value of the finished product, the subject merchandise is not subject to antidumping duties. In this case, the bearings that NMB/Pelmec sold to a related party for incorporation into fan motors comprise more than one percent of the value of those fan motors. Therefore, the bearings in question are subject to antidumping duties.

We also disagree with NMB/Pelmec's argument that we are not required to deduct further manufacturing expenses from the value of the finished product because the finished product is not the same product as the imported components. The statute does not require that the subject merchandise retain its identity as a finished product in order for it to be considered "further processed" within the meaning of the statute. Therefore, the statutory directive that we calculate ESP by deducting from the price of the non-subject merchandise the increased value associated with a process of further manufacturing or assembly in the United States applies in this instance. Given the requirements of the statute, we cannot base ESP on NMB/Pelmec's sales prices to related parties, even if those prices were equal to or higher than NMB/Pelmec's prices to unrelated parties.

Although NMB/Pelmec substantially cooperated with our requests for information during the course of this review, it failed to provide the data that we required to calculate dumping

margins,for U.S. sales of bearings to related parties in those instances in which the bearings comprised more than one percent of the value of the finished products manufactured by the related parties. In the absence of this information, we applied second-tier BIA to NMB/Pelmec's U.S. sales to related parties, in a manner consistent with the BIA policy outlined above.

We agree with Torrington that we failed to apply BIA to the proper sales value total in the preliminary results of this review. For these final results, we have corrected this error, and have applied BIA to the subject U.S. sales to related parties that occurred during the selected sample weeks.

Comment 4: NSK argues that the Department should not resort to BIA to calculate the dumping margins on U.S. sales of bearings to a related party for incorporation into merchandise outside the scope of these reviews. According to NSK, it attempted to obtain from the related party the information required to calculate dumping margins on these sales. NSK states, however, that the unrelated co-owner of the related party prohibited the related party from providing the requested information to NSK. As a result, NSK argues that the Department should calculate the dumping margins on U.S. sales to the related party by applying the weighted-average margin calculated for all other sales rather than an adverse BIA rate.

Department's Position: We disagree with NSK. Although NSK has substantially cooperated with our requests for information in this review, it failed to provide the data that we required to calculate dumping margins for sales of subject merchandise that comprised over one percent of the value of the finished product into which it was incorporated. Therefore, consistent with the Department's BIA policy as outlined above, we applied the second-tier BIA to those sales for which NSK failed to supply data on further manufacturing costs.

Comment 5: NTN argues that the Department erroneously applied BIA to certain U.S. sales. According to NTN, there should not be any U.S. sales without FMV information because NTN provided FMV data for each model sold in the United States. NTN also notes that the Department appears to have applied BIA twice to certain transactions.

Torrington responds that NTN failed to identify any specific error in the Department's calculations. Torrington agrees, however, that the Department should not apply BIA twice to the same sales.

Department's Position: We agree with NTN. An examination of the computer program with which we calculated NTN's preliminary dumping margin revealed certain errors that resulted in the erroneous application of BIA to certain of NTN's U.S. sales. We have corrected these errors for the final results.

4. Circumstance-of-Sale Adjustments

Comment 1: Torrington argues that NTN should not have allocated a range of expenses based on its transfer price to the United States because the use of transfer price allows NTN substantial control over the amount of the price adjustment. NTN responds that Torrington's argument is unfounded because NTN calculates absolute expense amounts that remain constant regardless of how they are allocated over U.S. sales. Thus, if transfer prices are reduced, the amount of the price adjustments would remain the same because the price adjustment factors would rise.

Department's Position: Although we agree that there is the potential for the misallocation of expenses if transfer prices are unreasonable, our examination of information on the record gives us no reason to believe that NTN's transfer prices are misstated. To test this, we randomly compared transfer prices for several products with the corresponding COPs of these products and found that transfer prices either equalled or exceeded the COPs. For this reason, and because Torrington provided no evidence that NTN's transfer prices are unreasonable, we have accepted NTN's allocation methodology.

A. Advertising and Promotional Expenses

Comment 2: Torrington alleges that Nachi has failed to show that all of its reported U.S. advertising expenses were indirect in nature. Torrington cites *Timken Co.* v. *United States,* 673 F. Supp. 495, 513 (CIT 1987), where the Court found that the Department places the burden on respondents to demonstrate "the indirectness of United States expenses and the directness of home market expenses." Therefore, Torrington argues that the Department should treat Nachi's U.S. advertising costs as direct selling expenses.

Nachi maintains that it has met its burden of proof because it included in its questionnaire response certain magazine advertisements as samples of its indirect advertising in the United States. Nachi states that these samples are general advertisements aimed at promoting the Nachi brand name rather than specific bearings.

Department's Position: For advertising to be treated as a direct expense, it must be incurred on products under review and assumed on behalf of the respondent's customer; that is, it must be shown to be directed toward the customer's customer. See AFBs I, 56 FR at 31725. The examples of U.S. advertising submitted by Nachi are not specific to bearings but instead are general in nature, as Nachi suggests. Therefore, we are satisfied that Nachi's U.S. advertising expenses are indirect.

Comment 3: Federal-Mogul urges the Department to reclassify RHP's U.S. indirect advertising expenses as direct expenses because the sample advertisements provided by RHP in its section B response are clear examples of direct advertising. Federal-Mogul contends that the sample advertisements are product-specific and are directed to end-users.

RHP argues that the sample advertisements included in its section B response are not directed to ultimate customers or end-users, but to original purchasers (i.e., distributors or original equipment manufacturers (OEMs)), because these advertisements appeared in trade publications not typically read by ultimate customers and because the advertisements are general in nature. RHP asserts that Federal-Mogul's contention that the advertisements are product-specific is not relevant because the advertisements are not directed to end-users. Finally, RHP claims that even if, arguendo, the advertisements were directed to end-users, they would be considered indirect expenses because they are primarily used to promote the RHP name and not particular products.

Department's Position: We have treated RHP's U.S. advertising expenses as indirect because the sample advertisements submitted by RHP appeared in trade publications and were designed to promote the RHP name. Therefore, they are neither incurred on behalf of RHP's customers nor product-specific.

Comment 4: Federal-Mogul asserts that NSK has misclassified certain of its U.S. advertising expenses as indirect selling expenses. Federal-Mogul argues that a portion of NSK's U.S. advertising expenses are properly classified as direct selling expenses directed toward NSK's customer's customer, because of the fact that NSK's U.S. distributors resell to original equipment manufacturers. As a result, Federal-Mogul argues that the Department should treat NSK's U.S. advertising expenses as direct selling expenses for the final results.

In addition, according to Federal-Mogul, NSK has diluted its per-unit advertising expense for sales to OEMs by allocating advertising expenses over U.S. sales to both OEMs and distributors, despite the fact that NSK describes its advertising as being designed to promote sales to original equipment manufacturers only. Accordingly, Federal-Mogul asserts that these expenses should be allocated to OEM sales only.

NSK rebuts Federal-Mogul's argument by stating that it does not sell to OEMs through distributors in the United States. Rather, all of NSK's U.S. sales to original equipment manufacturers are made directly to such customers. For these reasons, NSK contends that its U.S. advertising expenses are not directed at its customer's customer, and, therefore, are properly treated as indirect selling expenses.

Department's Position: We agree with NSK. In its response to the Department's supplemental questionnaire, NSK explicitly stated that in the United States, OEMs purchased NSK bearings directly from NSK only, and did not purchase NSK bearings through distributors. Therefore, any expenses that NSK incurred for advertising directed toward U.S. OEMs does not meet our criterion for treatment as a direct selling expense. Furthermore, because indirect selling expenses are, by definition, not related to specific sales, we have not limited the allocation of NSK's indirect advertising expenses to its sales to U.S. OEMs for these final results.

B. Technical Services and Warranty Expenses

Comment 5: Torrington argues that the Department should treat INA's, RHP's, and SKF-France's technical services as direct expenses in the U.S. market. Torrington claims that the Department's practice is to separate technical service expenses into direct and indirect portions. Torrington bases its claim on the Department's treatment of RHP's technical services in AFBs II, 57 FR at 28408, and on Final Determination of Sales At Less Than Fair Value; Certain Internal-Combustion Industrial Forklift Trucks From Japan, 53 FR 12552, 12563 (1988). Torrington further states that when respondents fail to separate technical service expenses into direct and indirect portions, the Department treats the entire expense as direct in the U.S. market and indirect in the home market.

INA responds that it does not keep records that would allow it to tie particular technical services to particular sales. However, INA argues that, unlike in the last review, the Department did not ask INA to separate technical service expenses into direct and indirect portions. INA further contends that in the present review, the Department has recognized the difficulty of compiling such data, as made clear in its questionnaire: "[w]e will consider as direct selling expenses those services that you can directly relate to sales of the subject merchandise". Moreover, INA states that it has demonstrated that its technical services are provided by salaried staff, who also perform sales activities, and therefore the technical services are properly treated as indirect selling expenses.

SKF-France asserts that the Department correctly treated SARMA's (an affiliate of SKF-France) reported U.S. technical expenses as indirect and that the expenses were reported exactly in the manner they were incurred. SKF maintains that SARMA's account structure, which the Department reviewed at verification, does not recognize a domestic export split. SKF further contends that SARMA's technical expenses are the same in both the home and the U.S. markets and that any artificial segregation would be impossible and unreasonable. SKF argues that the Department resorts to BIA only when a respondent fails to report claimed adjustments in the manner in which they were incurred. Therefore, SKF concludes that the Department should continue to treat SARMA's U.S. technical service expenses as indirect.

RHP argues that its technical service expenses were incorrectly treated as direct expenses in the United States based on the Department's practice of treating technical services as direct selling expenses when they are directly related to specific sales. RHP argues that the technical services provided in the United States are exactly the same and allocated in the same way as the services provided in the home market, which the Department treated as indirect expenses. Furthermore, RHP asserts that it does not maintain any records that allow technical services to be tied directly to particular products, customers, or markets. Thus, RHP contends that the Department's treatment of its U.S. technical services as direct expenses is an inappropriate use of BIA because RHP could not have provided this type of information under any circumstances. RHP further argues that the Department never requested a segregation of the expenses into fixed and variable costs. Finally, RHP states that the Department accepted RHP's technical service expenses as indirect expenses in both markets in both the investigation and the first review.

Department's Position: We agree with Torrington. In the questionnaire, we requested that respondents separate technical service expenses into direct and indirect portions, stating that direct selling expenses were those services that could be directly related to sales of the subject merchandise. Because there is an incentive for respondents to report selling expenses as indirect in the United States and direct in the home market, there is a burden on respondents to demonstrate "the indirectness of United States expenses and the directness of home market expenses." AFBs II, 57 FR at 28408. When respondents fail to report technical service expenses in direct and indirect portions, it is our practice to treat the expenses as direct in the United States and as indirect in the home market.

INA merely states in its supplemental questionnaire response that its U.S. technical service expenses are provided by salaried staff. INA did not segregate technical service expenses into direct and indirect portions, nor has INA shown that these expenses are all indirect in nature. INA has also failed to segregate its home market technical service expenses. Therefore, as best information available, we considered the entire U.S. technical service expense as direct and the entire home market expense as indirect.

RHP also did not separate its technical service expenses into direct and indirect portions. RHP was further aware of the Department's requirements because the Department specifically addressed the issue of RHP's technical services in the last review and found that RHP should have separated its expenses into direct and indirect portions. See AFBs II, 57 FR at 28408. Therefore, we considered RHP's technical service expenses as direct in the United States and as indirect in the home market.

Because SARMA did not separate U.S. direct technical service expenses but included them in its reported export selling expense pool, we have applied SKF-USA's direct technical service expense rate as BIA for SARMA's direct technical service expense.

Comment 6: Torrington argues that the Department should treat FAG-Italy's home market technical services and warranties as indirect expenses. Torrington maintains that respondents have a burden to establish that they are entitled to a circumstance-of-sale adjustment for expenses directly related to home market sales of scope merchandise. Torrington contends that

FAG-Italy has merely allocated total variable warranty expenses over total sales of all products in the home market without tying the expenses to particular sales or even particular products.

FAG-Italy responds that its methodology aggregates only variable warranty and technical service expenses that were incurred upon scope merchandise, and divides these costs by sales of scope merchandise. FAG-Italy further argues that the Department accepted its methodology in the first two reviews and rejected petitioner's arguments.

Department's Position: In the first and second administrative reviews, we held that although we preferred reporting on a transaction-specific basis, we would accept reasonably allocated technical service and warranty expenses. As we found in the first and second reviews, FAG-Italy's reported technical service and warranty expenses have been reasonably quantified and allocated, and we are satisfied that they are properly treated as direct selling expenses. There is no evidence to suggest that, if sales of non-scope merchandise were included in FAG-Italy's allocation pool, expenses incurred with respect to them would not be similar to those incurred upon scope bearings. See AFBs I, 56 FR at 31723 and AFBs II, 57 FR at 28408.

Comment 7: Federal-Mogul argues that Nachi uses an unacceptable reporting methodology for U.S. direct warranty expenses, because Nachi's response included only the transit cost for replacement bearings and not the additional cost of manufacturing replacements. Federal-Mogul points out that Nachi's response stated that "returned bearings can usually be resold" but notes that Nachi should have reported the cost of replacing bearings that could not be resold. Therefore, the Department should revise Nachi's direct warranty expense claim to include the additional expense of manufacturing replacement bearings for the defective bearings.

Nachi contends that Federal-Mogul ignored the full context of the response. Nachi states that its explanation that "returned bearings can usually be resold" is a general statement pertaining to all of its bearings. Nachi explains that all of the bearings covered by this administrative review were returned to inventory and will be resold; most of these bearings have already been resold, and the remaining bearings will be resold in the near future.

Department's Position: We agree with Nachi. Because all of the bearings covered by this review have been returned to inventory and have been resold or will be resold in the near future, Nachi's only expense is the transit cost for replacement bearings. Therefore, we accepted Nachi's U.S. direct warranty expenses as reported.

Comment 8: Torrington argues that the Department should reclassify Koyo's home market warranty expenses as indirect selling expenses because they were allocated over both scope and non-scope merchandise. Koyo responds that the Department has verified and accepted its warranty expense methodology in previous reviews of both AFBs and tapered roller bearings. Koyo contends that it would be unreasonable for the Department to change its requirements at this late date in the current review.

Department's Position: As we found in previous reviews in which Koyo used the same allocation methodology, Koyo's warranty expenses have been reasonably allocated, and we have accepted them as direct selling expenses. Since the non-scope merchandise and the scope merchandise both involve bearings, we have no reason to believe that the warranty expense differs between the two.

Comment 9: Torrington alleges that Koyo's allocation of technical service expenses over all U.S. sales is inappropriate. Torrington argues that, ordinarily, technical service expenses are not incurred in the aftermarket.

Koyo notes that it has explained in its response that it provides essentially the same technical services for its aftermarket customers as its OEM customers. Koyo believes that its response is sufficient and that it would be inappropriate for the Department to reallocate technical service expenses based on Torrington's comments.

Department's Position: Because Koyo provides the same technical services to all customers that request them, including aftermarket customers, and because Koyo separated its direct and indirect expenses, we are satisfied that Koyo's allocation methodology is reasonable. See AFBs II, 57 FR at 28408.

Comment 10: Federal-Mogul argues that the Department should revise Meter's allocation of U.S. direct warranty expenses by allocating the expenses identifiable to one customer's purchases only over that customer's purchases, and by allocating the remainder of the warranty costs over all remaining U.S. sales.

Meter states that it calculated an allocation factor by dividing total U.S. warranty expenses incurred by total U.S. sales value. Meter maintains that its methodology is in accordance with Department practice and reasonable because at the time of sale Meter does not know which sales are more likely to lead to a warranty expense. Meter adds that the Department verified Meter's methodology and found it acceptable in the second review.

Department's Position: We agree with Meter. Because Meter cannot identify warranty expenses for each specific customer, we find its method of dividing total U.S. warranty expenses by total U.S. sales value to be reasonable.

Comment 11: Federal-Mogul argues that the Department should reject NSK's and NTN's claims that they do not incur any direct warranty expenses in the United States. According to Federal-Mogul, NSK and NTN occasionally replace defective merchandise for their U.S. customers, and they incur other costs related to returns of non-defective merchandise. As a result, Federal-Mogul requests that the Department use BIA to determine NSK's and NTN's direct warranty expenses in the United States.

NSK replies that it has never reported a direct warranty expense in any segment of this case, and that the Department has accepted NSK's claims regarding the absence of such expenses in each instance. In the absence of any evidence to the contrary from Federal-Mogul, NSK concludes that the use of BIA to determine NSK's direct warranty expenses is unwarranted in this case.

NTN replies that it replaces only a very small quantity of defective merchandise, and that the Department verified that the costs associated with the replacement of defective merchandise in the United States are minuscule. Given the fact that the record contains verified information regarding the cost of defective merchandise, and the insignificant costs involved, NTN concludes that the use of BIA to determine its direct warranty expenses is unwarranted in this case.

Department's Position: We agree with NSK and NTN. There is no evidence in the record to suggest that NSK incurred any direct warranty expenses in the United States. Regarding NTN, we found during verification that NTN received claims from one customer for a minuscule amount of defective merchandise, and that NTN had credited the customer's account accordingly. We found no evidence that NTN incurred any variable, sale-specific expenses in conjunction with this defective merchandise. As a result, we made no deduction from USA for direct warranty expenses with respect to NSK and NTN.

C. Inventory Carrying Costs

Comment 12: Torrington and Federal-Mogul argue that the Department has not been consistent in its treatment of inventory carrying costs and that the

Department should only make an adjustment for inventory carrying costs to USA and not to FMV. Torrington cites *The Torrington Company* v. *United States (Torrington)*, Slip Op. 93–44 at 3233, in which the Court affirmed the Department's practice of deducting inventory carrying cost on the basis of the adjustment to foreign market value in order to afford an "apples to apples" comparison as long as the Department is consistent in making its measurement in regards to FMV and ESP sales. Torrington argues that the Department has failed to be consistent in this case. Torrington further argues in its country-specific briefs that the Department should make no deduction from FMV for this imputed general expense.

Department's Position: We disagree with Torrington. The Court has upheld the Department's methodology in calculating inventory carrying cost in both the U.S. and the home market. In *Torrington*, the Court found that "the ITA's adjustment to FMV for imputed inventory carrying cost pursuant to 19 C.F.R. 353.56(b)(2) was a reasonable exercise of the ITA's discretion in implementing the antidumping duty statute and is affirmed." *Id.* In addition, as was stated in the original investigation and the first two administrative reviews of this proceeding, in order for comparisons to be fair, it is necessary to make inventory carrying cost adjustments to both FMV and USP. See AFB LTFV Investigation, 54 FR 19050 (May 3, 1989); AFBs I, 56 FR at 31727; AFBs II, 57 FR 28360. That the foreign seller chooses to sell from inventory in the home market is no different from the seller's decision to undertake ESP transactions in the United States. The Department imputes ICC because the actual financial cost, for the time between shipment from the parent and payment by the related importer, is not recorded in the financial records of either party.

Comment 13: Torrington submits that the Department should return to its use of the "date of shipment" rather than the date of production as the starting point for calculation of inventory carrying cost. It argues that this would allow the Department to be consistent in its calculation, would reduce the Department's administrative burden, and would be consistent with the Court's recent holding in *Torrington*.

FAG Italy, FAG U.K., and RHP argue that the Department should continue its current practice of calculating inventory carrying cost from the date of production. SKF has no objection to the Department's use of date of shipment so long as the same methodology for calculating inventory carrying cost is used in both markets.

Department's Position: We disagree with Torrington. We calculate inventory carrying costs from the date of production because the date of production is when the item becomes a part of the company's inventory, not the date of shipment. Merchandise destined for the U.S. and merchandise destined for the home market are not necessarily held in inventory from the date of production to the date of shipment for equal lengths of time. Therefore, in general, an accurate accounting of inventory carrying costs in each market requires beginning at the date which production is completed.

Comment 14: Federal-Mogul and Torrington argue that the Department should base U.S. inventory carrying costs on the actual costs of the merchandise rather than on transfer prices and should use uniform interest rates. They argue that transfer prices are "inherently suspect" and can lead to manipulation of the inventory carrying cost adjustment. In addition, Federal-Mogul argues that "with respect to merchandise sold in the home market, the Department applies the producer's interest rate, for the production-to-sale period, against the sale price of the merchandise to an unrelated purchaser. In the home market, the Department generally accepts the respondents' application of the producer's interest rate, for a period determined solely by the respondent, and then the application of the U.S. entity's interest rate for a period similarly determined by the respondent, against the U.S. entity's price to an unrelated purchaser."

RHP, FAG, Koyo, SKF and GMN argue that these alleged "distortions" do not apply to their calculations of inventory carrying costs. They state that inventory carrying costs were calculated from the date of production to the date of shipment to the first unrelated party, as requested by the Department. Thus, they state that no change in the Department's current methodology need occur. Furthermore, GMN argues that if the Department wishes to change the inventory carrying cost basis, then, rather than turning to selling price in the United States as urged by Federal-Mogul, the Department should utilize the cost of manufacturing (COM) for goods exported to the United States as the basis for the inventory carrying cost adjustment on the U.S. side.

Department's Position: Inventory carrying cost measures the imputed cost incurred by the firm for storing AFBs in inventory. The transfer price reflects the cost of the merchandise as it is entered into inventory and therefore is an accurate basis upon which to calculate the cost to the subsidiary of holding inventory prior to the sale to an unrelated U.S. customer. See Portable Electric Typewriters From Japan; Final Results of Antidumping Duty Administrative Review 53 FR 40926 (October 19, 1988).

We cannot calculate actual cost for inventory carrying costs since these costs are not found in the books of the respondents. Thus, we must look at what the financing cost would have been. The Department's practice in calculating inventory carrying costs for ESP sales is to calculate the cost in two segments—one during which the merchandise is held by the foreign manufacturer and the other when the merchandise is in transit or held by the U.S. affiliate. Because the seller incurs the opportunity cost of holding inventory in both markets, and because we adjust for that cost in the U.S. market, we must also adjust for the same cost in the home market. In calculating such an expense, we must use the appropriate interest rate (i.e., the home market interest rate on the home market side and the U.S. interest rate for the U.S. side).

Comment 15: NSK contends that if the Department determines to disallow as a direct selling expense that portion of NSK's home market credit expense that NSK incurred on its sales to related parties, the Department should then reclassify this portion of the claim as an inventory carrying cost and deduct it from foreign market value as an indirect selling expense.

Torrington rejects NSK's claim on the grounds that NSK did not claim a HM inventory carrying cost in its questionnaire response. Torrington further argues that the interest expense that NSK incurs on its sales to related distributors is not an inventory carrying cost, because inventory carrying costs are computed on the basis of the period between production and shipment to the customer. Therefore, Torrington concludes that the Department should not deduct NSK's related party financing expenses from foreign market value.

Department's Position: We agree with Torrington. NSK's claim that the expenses in question should be treated as inventory carrying costs is untimely because NSK did not claim an adjustment to FMV for inventory carrying costs in any previous submission. Furthermore, the credit period for NSK's sales to related sales companies bears no discernible relationship to the amount of time that merchandise remains in inventory prior to sale. In the absence of any evidence

demonstrating that this credit period reflects time in inventory, we reject NSK's request that we treat NSK's credit to related sales companies as an inventory carrying cost. As a result, we have not deducted from FMV any of NSK's expenses for credit extended to related parties. *Comment 16:* Torrington argues that NTN overstated its home market inventory carrying costs. According to Torrington, NTN included in its inventory value the value of raw materials and work in process, despite the fact that Department precedent clearly establishes that inventory carrying cost relate to finished goods only. Therefore, Torrington requests that the Department re-evaluate NTN's claimed HM inventory carrying costs.

NTN responds that because it is both a manufacturing and sales organization, there is no logic in segregating inventory costs associated with manufacturing from those associated with selling finished goods. NTN further argues that because the Department has accepted NTN's method of calculating its inventory carrying cost in all previous segments of this case, the Department should reject Torrington's argument.

Department's Position: We agree with Torrington. Inventory carrying cost are designed to measure the cost to a company of holding merchandise that could be sold to generate revenue. Because raw materials and work in process are, by definition, not yet salable merchandise, the Department bases inventory carrying cost on the value of finished goods only. Therefore, we have recalculated NTN's claimed HM inventory carrying cost to eliminate that portion related to raw materials and work in process. Although we accepted its reported inventory carrying costs in previous reviews, this issue is currently being litigated in *AFBs II*. *See The Torrington Company* v. *United States* (Court No. 92–07–00483).

D. Post-Sale Warehousing

Comment 17: Torrington argues that the Department should treat Nachi's alleged post-sale warehousing expense as an indirect expense for the final results, because this expense consisted of amounts paid to third party contractors to store bearings in close proximity to a customer before the sale was made. For this reason, the expense is actually a pre-sale warehousing expense and is therefore indirect. To support this argument, Torrington points to Nachi's response, which states that quantities were not fixed until the date of shipment. Torrington further contends that there is nothing on the record to show that "Nachi was contractually required to maintain a particular inventory level, or that the merchandise was identified for sale to a specific customer at the time it was shipped to the warehouse."

Nachi responds by noting that in the two previous administrative reviews the Department accepted its post-sale warehousing expenses as direct selling expenses and that its practices have not changed. Nachi further contends that its response shows that its post-sale warehousing expenses are customer- and product-specific and, therefore, meet the criteria that the Department applied in the first and second reviews.

Department's Position: We verified that Nachi's claimed post-sale warehousing expenses we in fact incurred after the sale and that these expenses were directly related to the HM sales to which they apply. Torrington did not provide any new information requiring a reevaluation of this expense for the final results. Therefore, we have continued to make a direct circumstance-of-sale adjustment for Nachi's post-sale warehousing expenses. See AFBs I, 56 FR 31692, and AFBs II, 57 FR at 28415.

E. Delayed Payment of Home Market Selling Expenses

Comment 18: Torrington and Federal-Mogul both state that the Department has failed to account for the savings that the respondents realize by paying their HM selling expenses on a delayed-payment basis. They state that the true cost to respondent with regards to discounts, rebates, and circumstance-of-sale adjustments, is the amount that the respondent pays out minus any savings realized by paying the amount after the obligation was incurred.

SKF, FAG, GMN, INA, Koyo, and RHP argue that it would be an administrative burden for the Department to make adjustments for delayed payments. Respondents argue that the overall effect of such an adjustment would be minimal since such an adjustment would have to be made on both the HM side and the U.S. side. In addition, these adjustments are only imputed adjustments, not actual adjustments, and thus would not be reflected in the books of the respondents.

Department's Position: We disagree with Torrington and Federal-Mogul. There is no statutory or regulatory requirement for the Department to adjust circumstance of sale claims downward to account for savings due to delayed payment of these expenses.

The statute grants the Department broad authority in determining what constitutes differences in circumstances of sale. Section 773 of the Tariff Act. However, Congress expressed concern that the administering authority not make excessive allowances for differences in circumstances of sale:

> * * * if [circumstance of sale] adjustments are improperly made, the result may be an unjustifiable reduction in or elimination of the dumping margin. Therefore, the Committee intends that adjustments should be permitted if they are reasonably identifiable, quantifiable, and directly related to the sales under consideration and if there is clear and reasonable evidence of their existence and amount.

H.R. Rep. No. 96–317, 96th Cong., 1st Sess. 76 (1979).

In accordance with Congress' intent, the Department's regulations limit the types of differences the Department will allow and offer guidance regarding the methods by which the Department will calculate those differences.

19 CFR 353.56(a)(1) states that the Secretary will make "a reasonable allowance" for any difference in circumstances of the sales compared if the Secretary is satisfied that the "amount of any price differential is wholly or partly due to such difference." Section 353.56(a)(2) states:

> Differences in circumstances of sale for which the Secretary will make reasonable allowances normally are those involving differences in commissions, credit terms, guarantees, warranties, technical assistance, and servicing. The Secretary also will make reasonable allowances for differences in selling costs (such as advertising) incurred by the producer or reseller *but normally only to the extent that such costs are assumed by the producer or reseller on behalf of the purchaser from that producer or reseller.* (emphasis added)

Thus, allowances will only be made if the price differential is "wholly or partly due" to differences in circumstances of sale; if they relate to circumstances that bear a "direct relationship" to the sales compared; and, with respect to selling expenses, only to the extent that such expenses are "* * * assumed by the producer * * * on behalf of the purchaser."

The concept of the assumption of costs by the seller on behalf of the buyer extends to measurement as well. As an initial matter, we should note that the goal of the statute is to account for differences in prices that are attributable to differences in circumstances of sale. Section 773(a)(4)(B). To measure the difference in prices owing to differences in circumstances of sale (including selling expenses), § 353.56(c) of the regulations states:

> In deciding what is a reasonable allowance for any difference in circumstances of sale, the Secretary normally will consider the *cost* of such difference to the producer or reseller but, if appropriate, may also consider the

effect of such difference on the market value of the merchandise. (emphasis added)

This section provides for using differences in cost as a means of measuring differences in prices due to different circumstances because the Department normally cannot directly measure the differences in prices due to different circumstances of sale. Although the provision in the regulations for considering the effect of such differences on the market value of the merchandise would be the most accurate adjustment, such a measure normally cannot be reliably determined because it would require a complex series of econometric and regression analyses, often based on questionable assumptions. Therefore, the difference in cost is merely "a reasonable allowance" for the price differences owing to differences in circumstances of sale.

To determine the difference in costs, the Department normally relies on a company's financial records. This is a reasonable way to account for differences in selling expenses as long as the company quantifies the actual expense, provides adequate documentation, and the company's quantification accurately reflects the expense to the seller. See, e.g., Television Receivers, Monochrome and Color, from Japan; Final Results of Antidumping Duty Administrative Review, 53 FR 4050 (1988).

The Department does not resort to imputing costs except in the limited circumstance where such costs are not recorded in a company's financial records and the costs are related to the conditions and responsibilities conferred by the terms of sale between the buyer and seller, either explicitly or implicitly. In general, the Department adjusts for certain opportunity costs only insofar as they affect the terms of sale between the seller and buyer and only insofar as the costs are not otherwise recorded in the producer's financial records.

For example, credit is part of the terms of sale between the seller and buyer but its cost is not always recorded in a company's financial records. However, because credit terms unquestionably affect the price negotiated between the buyer and seller, the Department must find a way to account for such differences. The only way to account for them is to impute them.

The Department cannot ignore differences in prices owing to differences in credit terms because such differences constitute an assumption of costs by the seller on behalf of the U.S. buyer. For example, if a producer sells widgets to two buyers at the same price, but offers one buyer one month of credit and the other six months of credit, the effective price to the latter buyer is unquestionably lower than the price to the former buyer. The additional cost of the second sale to the producer is approximately equal to the savings realized by the second buyer resulting from the five-month payment delay. If the second buyer had to pay sooner, that buyer's costs would have increased. Therefore, the extension of more favorable credit terms constitutes an assumption of costs by the seller on behalf of the buyer. The Department is thus justified in making this type of delayed payment COS adjustment in this instance.

This approach is in stark contrast to any potential delay of payment between the seller and its suppliers (such as a subcontractor) insofar as the seller assumes no costs that otherwise would have been borne by the buyer. An allowance for delayed payment of selling expenses would involve imputing expenses incurred not between the buyer and seller, but between the seller and its supplier. Such an allowance is inappropriate because it is not related to the positions and responsibilities of the seller and buyer conferred by the terms of sale, and it cannot reasonably be expected to affect the price negotiated between the seller and buyer. For these reasons, this type of allowance does not qualify as a cost "* * * assumed by the producer * * * on behalf of the purchaser * * *," in accordance with 19 CFR 353.56(a)(2). Therefore, the Department would not be justified in making such a delayed payment COS adjustment.

F. Commissions

Comment 19: Torrington asserts that the Department should deny Koyo's HM commission adjustment for commissions paid to purchasing agents acting on behalf of Koyo's customers because such payments do not affect the HM price obtained by Koyo. Torrington further asserts that since Koyo cannot identify specific sales on which it paid commissions, the commissions are not directly related to sales of in-scope products and should be considered indirect selling expenses. As such, Torrington asserts that Koyo's commissions should not be subject to the Department's commission offset.

Koyo argues that Torrington provides no support for its assertion that payments to purchasing agents are not an appropriate adjustment to FMV. Koyo further argues that since its HM commissions are neither granted nor recorded on a product- or transaction-specific basis, it cannot be expected to report them on either basis. Koyo asserts that it reported its commission expenses in precisely the manner subsequently endorsed by the CIT in *The Torrington Company* v. *United States,* Slip Op. 93–44 at 39 (March 29, 1993). Furthermore, Koyo notes that the difference between the commission expense factors reported and those provided for in Koyo's contracts is insignificant. Finally, Koyo argues that the Department verified commissions for this review and found no discrepancies.

Department's Position: We disagree with Torrington. Since Koyo pays commissions to purchasing agents that act on behalf of its customers, Koyo's HM sales qualify for the commission adjustment submitted. Additionally, although Koyo did not submit its commission expenses on a transaction-specific basis, the record indicates that the customer-specific commission expense factors accurately represent the commission rates agreed to in Koyo's contracts. Therefore, consistent with the two previous reviews of these orders, we have accepted Koyo's commissions as direct selling expenses and performed the commission offset accordingly. See AFBs II, 57 FR at 28407, and AFBs I, 56 FR at 31719.

Comment 20: Federal-Mogul contends that the Department improperly classified Fichtel and Sachs' U.S. commissions to related parties as indirect selling expenses, amounting to a double-counting of U.S. commission in the offset to FMV. Federal-Mogul argues that, as a result of this classification of related party commissions, FMV is reduced by both HM commissions and by an offset up to the amount of U.S. commissions plus U.S. indirect selling expenses. Federal-Mogul suggests that the Department classify all commissions in the U.S. market as direct expenses.

Department's Position: We agree with Federal-Mogul. We improperly increased the offset cap by the amount of U.S. commissions to related parties. For these final results we have classified all U.S. commission expenses as direct selling expenses.

Comment 21: Torrington contests the Department's inclusion of NTN's U.S. commissions in the calculation of the ESP cap for deductions of HM indirect selling expenses from foreign market value. According to Torrington, commissions are to be offset by indirect selling expenses only in those instances in which a respondent pays commissions in one market but not in the other. In this instance, however, Torrington states that because NTN

included commissions as an element of HM indirect selling expenses in lieu of reporting sale-specific commissions, the Department is unable to determine whether NTN incurred commission expenses on individual HM sales. As a result, Torrington argues that NTN did not satisfy the regulatory requirement for offsetting U.S. commissions with HM indirect selling expenses, and, therefore, the Department should not include U.S. commissions in the calculation of the ESP cap for these final results.

Department's Position: We agree with Torrington. Pursuant to 19 CFR 353.56(b), the Department will offset commissions in one market with indirect selling expenses incurred in the other market only if a respondent did not incur commission expenses in the other market. Because NTN reported HM commissions as indirect selling expenses, we have no way of knowing whether NTN paid commissions on any of the individual HM sales subject to this review. In the absence of any such evidence, we have no basis for determining that NTN has satisfied the necessary conditions for receiving an offset to its U.S. commissions. Therefore, we have removed U.S. commissions from the amount used to calculate the ESP cap for these final results.

Comment 22: Federal-Mogul argues that the Department erred in its treatment of NSK's HM commissions. Federal-Mogul states that although NSK reported two types of commissions in the HM, the Department understated NSK's foreign market value by not adding to it an offset for HM commissions in those instances in which NSK did not pay commissions on its purchase price sales. Federal-Mogul requests that the Department calculate an offset to NSK's HM commissions for the final results.

NSK responds that the Department's error is harmless, because of the relative amounts of the HM commissions and the U.S. indirect selling expenses that the Department would use to create the commission offset. NSK agrees, however, with Federal-Mogul's suggestion that the Department correct its treatment of commissions for the final results.

Department's Position: We disagree with Federal-Mogul. Although NSK classified its payments to distributors for delivery on behalf of NSK as commissions, we do not consider such expenses to be commissions because NSK performed all the selling functions for the sales in question. Further, we have treated NSK's expenses for stock transfers by distributors as indirect selling expenses. Because we have not treated NSK's reported HM delivery and stock transfer expenses as commissions, we have not performed a commission offset to FMV in purchase price comparisons for these final results.

G. Credit

Comment 23: Torrington asserts that the HM verification of Koyo demonstrated significant discrepancies between the reported date of payment, which is based on customer-specific average accounts receivable turnover rates, and the actual date of payment. Torrington argues that the Department should reject Koyo's HM credit expenses for the final results and either use the lowest charge for any customer or decline to make any credit adjustment to FMV.

Koyo argues that the differences between the reported average date of payment and the actual date of payment is to be expected and should not be construed to indicate that there is misreporting on its part. Koyo argues that, since the actual date of payment fell both before and after the reported average date of payment for different transactions, there is no pattern to the differences that would result in the artificial reduction of FMV.

Department's Position: We disagree with Torrington. Koyo submitted to the Department the customer-specific average terms of payment for all of its HM customers. Although the Department maintains a strong preference for credit expenses that are based on the actual number of days outstanding, we recognize the tremendous number of transactions involved and have accepted Koyo's credit methodology as a reasonable alternative to the Department's standard requirements. Furthermore, since Koyo's reported date of payment is based on the customer-specific average days outstanding, the reported date of payment will, in most cases, vary from the actual date of payment. At verification we found no evidence to indicate that such a variance results in a systematic overstatement of Koyo's HM credit expenses. Therefore, we will continue to accept Koyo's methodology for these final results. See AFBs II, 57 FR at 28406, and AFBs I, 56 FR at 31724.

Comment 24: Torrington argues that the Department should reject NPBS' U.S. credit calculations. Torrington asserts that NPBS calculated the average payment period for PP sales based on a sample of invoices. Torrington asserts that this is unacceptable since NPBS did not demonstrate that sampling was necessary or representative. Torrington also asserts that for ESP sales NPBS failed to support its calculation of U.S. credit expenses. Torrington argues that the Department should use the highest reported credit expense as BIA.

NPBS and Emerson, an unrelated importer, claim that Torrington is mistaken, and note that the payment period for all PP sales was based on all PP invoices during the review period. Additionally, NPBS argues that the credit terms for all ESP sales were based on the actual shipment and payment dates on a transaction-specific basis. According to NPBS, the explanation for the determination of these dates can be found in the original and supplemental responses.

Department's Position: We disagree with Torrington. NPBS did not calculate the average payment period for PP sales based on a sample of invoices. Rather, it used the actual PP invoices as the basis for its payment period for all PP sales. In addition, NPBS properly calculated its ESP credit terms by using the actual shipment and payment dates on a transaction-specific basis. Therefore, we have accepted NPBS' U.S. credit expenses for these final results.

Comment 25: Torrington asserts that NPBS' HM credit expense methodology must be rejected for these final results. Torrington argues that NPBS' use of the nominal credit period stated on the invoice, rather than the actual period that elapsed between shipment and payment, to determine HM credit expenses is unacceptable. Torrington further argues that NPBS' use of the invoice date as the shipment date is unacceptable since NPBS occasionally creates an invoice immediately upon receipt of the order, thus overstating the credit expenses. Torrington contends the Department should decline to make any adjustment to FMV for credit expenses.

NPBS and Emerson note that most customers pay by promissory note and that the terms of sale establish the date on which the promissory notes mature. NPBS and Emerson argue that, since the Department confirmed at verification that maturity dates corresponded to the terms of sale, the nominal terms of payment are an appropriate measure of the true credit experience of the company. NPBS also notes that in instances where a customer does not pay by promissory note, NPBS used the terms of sale to establish the credit period since payment is generally received in accordance with these terms.

Department's Position: We disagree with Torrington. While we generally require that credit expenses be based on the actual payment period, in this case

we confirmed at verification that the nominal credit period accurately reflects the actual payment period. In addition, we also verified that the invoice date reflects the shipment date. Therefore, we have accepted NPBS' submitted HM credit expenses for these final results.

Comment 26: Federal-Mogul argues that since Meter does not maintain an inventory of finished products, the period from date of completion of production to date of shipment should be included in the credit period used to calculate U.S. credit expenses. Since Meter did not do this, Federal-Mogul argues that the Department should recalculate the U.S. sales credit expense using the highest reported per unit credit expense as BIA.

Meter argues that, consistent with past AFB reviews and Department policy, it properly calculated its U.S. credit expense by using the period from the date of shipment to the date of payment.

Department's Position: We disagree with Federal-Mogul. It is our practice to calculate direct credit expenses from date of shipment to date of payment. Meter has provided sufficient information regarding the calculation of credit expense. Therefore, we find no reason to adjust Meter's reported credit expense.

Comment 27: Torrington contests the Department's decision to deduct as a direct selling expense NSK's HM credit expense. According to Torrington, NSK's reporting of HM credit expenses on a customer-specific basis not only fails to link this expense to the specific sales under review, but also distorts the adjustment by including credit expenses incurred for sales of non-subject merchandise. Moreover, Torrington argues that, as noted by the Department, NSK overstated its HM credit expenses for certain sales by including credit that NSK extended to its related sales companies. As a result, Torrington concludes that the Department should deny in its entirety NSK's claimed HM credit expense.

NSK responds that, although its monthly billing system does not permit it to report transaction-specific credit expenses, it has reported its credit expenses on a customer-specific basis, in accordance with the requirements of the Department's questionnaire. Therefore, NSK concludes that the Department should treat its reported HM credit expenses as direct selling expenses for the final results.

Department's Position: We agree in part with NSK. At verification, we confirmed the accuracy of the customer-specific information that NSK used to calculate its HM credit expenses. Because NSK complied with our requirements in reporting customer-specific credit expenses, we have generally treated NSK's reported HM credit expenses as direct selling expenses for these final results. Since the same terms of credit are used regardless of whether the merchandise is scope or non-scope merchandise, including credit expenses incurred for sales of non-scope merchandise in the calculation of credit expense for scope merchandise achieves the same result as adjusting the total credit expense by the ratio of scope to non-scope merchandise.

We note, however, that NSK overstated its credit expenses for certain HM sales that it made through related sales companies. Specifically, NSK included in the credit expenses for these sales not only the credit extended by the sales company to the first unrelated HM customer, but also NSK's credit to its related sales company. Because the credit extended to the related sales company is not generated on the sale to the first unrelated party, we do not consider such credit to constitute a direct selling expense. As a result, we have reduced NSK's claimed credit expenses by the amount attributable to NSK's sales to the related companies.

Comment 28: Torrington argues that the Department should revise its calculation of NSK's credit expenses on purchase price sales. According to Torrington, the Department discovered discrepancies in NSK's reported payment dates for purchase price sales. As a result, Torrington argues that the Department should either use NSK's highest reported credit expense on purchase price sales as BIA, or adjust NSK's reported credit period on purchase price sales for the discrepancies found at verification.

In reply, NSK states that the discrepancies are the result of the method that it used to record payment for purchase price sales. According to NSK, it used this recording method for all purchase price sales to the customer in question. Further, NSK states that the Department found no consistent pattern of early or late recording of payment dates. As a result, NSK states that any payment date discrepancies that the Department found during verification have no discernible impact on the Department's analysis and, therefore, the Department should not modify NSK's reported credit expenses for purchase price sales.

Department's Position: We agree with NSK. Although we found minor discrepancies between NSK's reported payment dates and the actual dates on which NSK received payment from its customers, we did not find that these discrepancies resulted in either a systematic over- or under-reporting of the credit period for purchase price sales. Therefore, we have used the information provided in NSK's questionnaire responses to calculate credit expenses for purchase price sales for these final results.

H. Indirect Selling Expenses

Comment 29: Torrington contends that FAG-Italy and FAG-U.K. overstated their HM indirect selling expenses by including indirect selling expenses incurred by FAG-Germany. Torrington argues that it is apparent from the response that all selling expenses incurred by FAG-Italy and FAG-U.K. are incurred entirely in Italy and the U.K. respectively. Furthermore, Torrington argues, FAG did not detail or describe any expenses incurred by FAG-Germany on behalf of FAG-Italy or FAG-U.K. Torrington contends that as a result of allocating indirect selling expenses incurred by FAG-Germany to FAG-Italy and FAG-U.K., indirect selling expenses incurred by FAG-Germany for U.S. sales are understated.

FAG-Italy and FAG-U.K. contend that their HM indirect selling expenses properly include certain costs that are incurred in Germany by FAG-Germany. FAG argues that under its marketing structure, FAG-Germany incurs indirect selling expenses on behalf of its entire worldwide operations, including FAG-Italy and FAG-U.K. FAG contends that its indirect selling expense methodology has been approved and verified by the Department in each of the past two reviews and therefore should be accepted for these final results.

Department's Position: We disagree with Torrington. In this review we verified FAG-Germany's HM indirect selling expenses and determined that the allocation methodology reasonably captured indirect selling expenses incurred on subject merchandise sold in Italy and the U.K. Therefore, we have used the indirect selling expense data as reported for these final results.

Comment 30: SKF-France argues that the Department incorrectly disallowed the "first level" of indirect selling expenses, which include the indirect selling expenses of the SKF companies incurred on home market sales between SKF and SOS, a related distributor. In addition, SKF argues that the Department erred by reducing the selling expenses of all non-SOS HM sales by the ratio of related party sales to total sales. SKF contends that, according to 19 CFR 353.56(b)(2), a reasonable deduction from foreign market value is made for all expenses

incurred in selling such or similar merchandise up to the amount of the expenses incurred in selling the merchandise, and that no distinction is made between related and unrelated parties.

SKF further contends that it has been the Department's practice to allow adjustments for indirect selling expenses on sales to related parties and to adjust for indirect selling expenses incurred before the sale to the first unrelated party on ESP sales. See Final Results of Antidumping Duty Administrative Review; Brass Sheet and Strip From Sweden, 57 FR 2706, 2707 (1992). If the Department makes an adjustment on ESP sales for indirect selling expenses incurred on sales to related companies, then in order to achieve an apples-to-apples comparison, SKF contends that indirect selling expenses incurred on sales to related companies in the HM must also be allowed.

SKF argues that the Department has compounded this problem by reducing the non-SOS indirect selling expense totals. SKF argues that whether or not the Department accepts the SKF French manufacturing companies' indirect selling expenses on SOS sales, the ratio of all indirect selling expenses that these companies incurred to all their HM sales is a reasonable calculation of the adjustment factor.

Torrington argues that the Department was correct in disallowing SOS's first level of selling expenses because SKF's allocation methodology makes no distinction between expenses to unrelated buyers and those incurred on transfers to SOS. Torrington claims that SKF's methodology is defective because it assumes that indirect selling expenses are incurred equally on a per unit basis for related and unrelated sales. Torrington claims that the Department properly reduced the SKF manufacturing companies' indirect selling expenses by the ratio of unrelated sales to total sales.

Department's Position: We disallowed SOS's first-level selling expenses, which include the indirect selling expenses of the SKF manufacturing companies incurred on sales made between SKF and SOS, because they are expenses between related parties that we consider to be inter-related company transfers. See AFBs I, 56 FR 31692 and AFBs II, 57 FR at 28411.

Because the SKF-France companies included sales to SOS in their calculation of indirect selling expenses, we have reduced the HM selling expense totals by class or kind on the basis of the ratio of related party sales to total sales as reported in the Section A HM response.

Comment 31: Torrington argues that NPBS failed to demonstrate the reliability of its methodology for the allocation of selling expenses to U.S. sales. According to Torrington, the Department should reject these reported expenses and apply the highest expenses reported by any Japanese respondent as the best information available.

NPBS explains that selling expenses were allocated to the U.S. market based on the amount of time export division personnel spent on U.S. activities relative to total export activities.

Department's Position: We agree with Torrington. NPBS' reported methodology inappropriately allocates export selling expenses and indirect selling expenses based on an estimate of the amount of time that export division personnel spent on sales to the United States relative to total export activities. Instead we have relied on a more reasonable and reliable allocation methodology by which the total amount of export selling expenses are allocated by the ratio of the total value of U.S. sales over the value of total export sales.

Comment 32: Torrington contends that NPBS has not demonstrated how certain HM indirect selling expenses relate to sales, much less sales of such or similar merchandise. Torrington argues that, for the final results, the Department should reject NPBS' HM indirect selling expenses or, at a minimum, exclude those expenses that are clearly corporate in nature.

NPBS argues that it attributed the proper amount of indirect expenses to the merchandise under review. NPBS notes that its indirect selling expense rate was properly calculated by dividing total indirect selling expenses applicable to all sales by the total sales revenue.

Department's Position: We disagree with Torrington. We verified that NPBS' indirect selling expenses are associated with sales of such or similar merchandise.

Comment 33: Torrington asserts that NTN failed to include in its reported U.S. indirect selling expenses exchange charges and export commissions incurred in Japan. According to Torrington, the Department's verification findings provide no basis for the belief that the expenses in question did not pertain to U.S. sales. Therefore, Torrington requests that the Department include these expenses in its calculation of NTN's U.S. indirect selling expenses for the final results.

NTN responds that export commissions include certain charges that are already included in NTN's reported movement charges, and that exchange charges pertain to transactions between NTN and its U.S. subsidiary. As a result, NTN asserts that the Department should not include these expenses as part of U.S. indirect selling expenses.

Department's Position: We agree with Torrington. At verification, we found that exchange charges include not only adjustments for exchange rate fluctuations, but also bank charges and commissions associated with foreign sales. Further, we have no evidence that export commissions comprise either payments to related parties or expenses that NTN has already reported elsewhere in its response. Therefore, we find no basis for excluding these expenses from NTN's reported export selling expenses, and have included them in our calculation of ESP for these final results.

Comment 34: Torrington argues that several of NTN's downward adjustments to U.S. indirect selling expenses are unsupported. Specifically, Torrington objects to NTN's use of imputed interest expenses on antidumping duty cash deposits on both tapered roller bearings and antifriction bearings to reduce the aggregate amount of U.S. indirect selling expenses, and NTN's exclusion from U.S. indirect selling expenses of certain expenses incurred for a liaison facility that appear to be directly related to the sales subject to this review. Accordingly, Torrington requests that the Department deny NTN's claimed adjustments to its U.S. indirect selling expenses.

NTN rejects Torrington's arguments on the grounds that the Department verified the data on NTN's U.S. indirect selling expenses, and found no discrepancies. NTN further argues that the Department accepted certain of the adjustments in question in the previous administrative reviews. Therefore, NTN concludes that the Department should accept NTN's reported adjustments to U.S. indirect selling expenses.

Department's Position: We agree with NTN. We do not consider cash deposits of estimated antidumping duties to be direct selling expenses. Therefore, we also do not consider interest paid on such deposits to constitute a direct selling expense. Accordingly, we have accepted, in principle, NTN's offset to interest expenses for interest paid on cash deposits. We also accept NTN's downward adjustment to total U.S. indirect selling expenses for expenses that are related to its liaison facility, because these expenses are attributable to purchase price sales.

In its questionnaire response, NTN based its calculation of its U.S. indirect selling expenses on the pool of common expenses, applicable to all products, incurred by its U.S. subsidiary. For this reason, NTN adjusted interest expenses using amounts pertaining to non-subject merchandise. Given the method that NTN used to prepare its response, we find that this adjustment is appropriate. At verification, we confirmed the accuracy and completeness of NTN's U.S. indirect selling expense data, and of the data on which NTN based the adjustments to these expenses. As a result, we have allowed NTN's reported adjustments to its U.S. indirect selling expenses for these final results.

Comment 35: Torrington argues that NTN's allocation of U.S. and HM indirect selling expenses according to levels of trade is unnecessary and inconsistent with Department practice. According to Torrington, NTN has allocated its HM and U.S. indirect selling expenses using methods that bear no relationship to the manner in which the expenses are incurred. Torrington notes that the respective allocation methods result in an excessive allocation of indirect selling expenses to OEM sales in the HM, and an under-allocation of such expenses to OEM sales in the United States. Torrington also notes that allocation of indirect selling expenses is inappropriate because such expenses, by definition, apply to all sales. Therefore, Torrington requests that the Department reallocate NTN's HM and U.S. indirect selling expenses according to total sales value, without regard to differences in level of trade.

NTN responds that the alleged discrepancies that Torrington found between the results of NTN's method of allocating HM indirect selling expenses and those of Torrington's proposed method are inaccurate, because Torrington distorted NTN's allocation method. According to NTN, its allocation method, when properly applied, yields results that are similar to those obtained when allocating HM indirect selling expenses according to sales value. NTN further argues that the Department has previously verified NTN's indirect selling expense data and allocation methods, and has accepted them without question in other cases. Therefore, NTN concludes that the Department should not reallocate NTN's U.S. or HM indirect selling expenses for these final results.

Department's Position: We agree with Torrington. The methods that NTN used to allocate its indirect selling expenses do not bear any relationship to the manner in which NTN incurs the expenses in question, thereby leading to distorted allocations. Further, we find NTN's allocations according to levels of trade misplaced, because NTN has made no attempt to demonstrate that its indirect selling expenses vary across levels of trade. Therefore, we have allocated NTN's HM and U.S. indirect selling expenses over respective total sales values, without regard for levels of trade, for these final results.

I. Miscellaneous Charges

Comment 36: Federal-Mogul argues that the inspection fee placed on bearings exported from Japan by the Japan Bearing Inspection Institute (JBII) should be classified as a movement expense rather than as an indirect or direct selling expense. Federal-Mogul alleges that NSK appropriately reported the export inspection fee as a separate movement expense while Nachi, NPBS and NSK reported the fee as a direct selling expense and NTN reported the inspection fee as an indirect selling expense.

Department's Position: We disagree with Federal-Mogul. The JBII does not provide movement services to manufacturers/exporters of AFBs. Rather, the inspection fee represents a cost incurred by AFB manufacturers/exporters to ensure the quality of the products being produced by the Japanese bearing industry. Therefore, we view this mandatory inspection fee on all bearings exported as a direct selling expense and have made a circumstance-of-sale adjustment for this expense for these final results.

Comment 37: Torrington argues that the Department erroneously treated NSK's payments to distributors for delivery on behalf of NSK as direct selling expenses. According to Torrington, NSK cannot link these payments to specific sales of subject merchandise because it calculates the amounts paid for all products delivered on behalf of NSK. Therefore, Torrington concludes that the Department should treat this expense as an indirect selling expense for the final results.

NSK responds that it reported expenses incurred for delivery by distributors on behalf of NSK on a distributor-specific basis, and that the payments are calculated based on a fixed percentage of the value of all merchandise delivered. Because this expense is distributor-specific and is paid as a fixed percentage of all merchandise, NSK maintains that the Department properly considered this expense to be a direct selling expense.

Department's Position: We agree with NSK. At verification we learned that NSK incurs this expense pursuant to contracts with its distributors, and that the contracts stipulate that NSK calculates its payments to individual distributors as a fixed percentage of all merchandise delivered by the distributor. NSK reported this expense on a distributor-specific basis. Because NSK incurs this expense as a fixed percentage of all merchandise delivered by individual distributors, we are satisfied that NSK's distributor-specific reporting of this expense adequately reflects its delivery expenses on sales of subject merchandise. This is because such a methodology achieves the same result as adjusting the total delivery expense by the ratio of scope to non-scope merchandise. As a result, we have treated this expense as a direct selling expense for these final results.

5. Cost of Production and Constructed Value

A. Cost Test Methodology

Comment 1: Torrington argues that the Department's test to determine whether sales below cost have been made over an extended period of time should not be applied to respondents that have a history of selling below cost in previous segments of this proceeding. Torrington contends that certain respondents have already demonstrated below-cost sales over an extended period of time by habitually selling at below-cost prices in the HM in previous reviews and/or the original investigation. Specifically, Torrington identifies SKF, FAG, INA, GMN, NTN, NSK, NPB, Nachi, Koyo, NMB, RHP, and SARMA as respondents that have made sales below cost in previous reviews and/or the original investigation of at least one class or kind of merchandise. According to Torrington there is no reason for the Department to apply the three-month test to these companies. Rather, the Department should immediately disregard their below-cost sales if they are substantial, i.e., if the Department's ten percent test is met.

FAG, SKF, RHP, INA, GMN, and Koyo respond that Torrington's position is incorrect and should be rejected by the Department. FAG, GMN, INA, SKF and Koyo argue that the extended period of time test is required by the statute and has been specifically upheld by the courts (see, *Toho Titanium Co.* v. *United States*, 11 CIT 160, 657 F. Supp. 1280 (1987)). FAG, GMN and SKF also argue that the decisions in each review must be based on substantial evidence on the record, with the record in each review being separate from the records in previous reviews. Therefore, findings from a previous review period, or the

original investigation, cannot be substantial evidence during the current review period. FAG, GMN, and SKF note that the adoption of Torrington's proposal would conflict with the remedial nature of the dumping law by failing to account for corrective measures that exporters might take with regard to the extended-period rule. SKF also argues that Torrington confuses the notion of "reasonable grounds to believe or suspect" sales below cost, which is required to initiate a sales-below-cost investigation, with the findings necessary to justify rejection of HM sales and resort to constructed value.

Department's Position: We disagree with Torrington. Section 773(b)(1) of the Tariff Act is designed to ensure that below-cost sales are not disregarded if these sales occurred over a short period of time or resulted from normal business practices, such as selling obsolete or end-of-year merchandise at below-cost prices. Below-cost sales in at least three months out of the review period is a reasonable indication that sales below COP are not random, accidental, or sporadic.

Section 773(b)(1) does not direct that, once below-cost sales are found over an extended period of time in one segment of the proceeding, the Department should presume for the other segments of the proceeding that below cost sales are being made over an extended period of time. Since pricing practices may change, what occurred earlier may not be relevant in the current period. Calculations of antidumping duties for a specific review period must be based on the pricing activities that occur during that review period. It follows that each element of the Department's below-cost test must also be based on pricing activities from the period being reviewed. Therefore, we disagree with Torrington's argument that since a respondent sold below cost for an extended period of time in a past review/investigation, the Department should automatically assume that any below-cost sales in the current POR are also made over an extended period of time.

We agree with respondents that relying on prior periods to satisfy the extended period of time test for this and all future reviews would not account for corrective measures that exporters might take regarding their HM pricing practices.

B. Research and Development

Comment 2: Torrington claims that the Department should treat INA's research and development (R&D) costs as a COM expense and not as an indirect selling expense. Torrington argues that, since respondent is unable to separate product-specific, product-line, and general R&D, all R&D should be treated as a fabrication cost. See AFBs II, 57 FR at 28416 and Final Determination of Sales At Less Than Fair Value; Erasable Programmable Read Only Memories (EPROMS) From Japan, 51 FR 39680, 39682 (1986). Petitioner further argues that R&D is not a selling expense but either a fabrication cost or a G&A expense depending on whether the R&D expenditures are product-specific or general in nature. Torrington claims that INA should be capable of identifying specific R&D expenditures and reporting them accordingly. Torrington concludes that the Department should apply a BIA rate with respect to INA's R&D expense.

INA responds that the Department's questionnaire instructs respondents to classify R&D costs as indirect selling expenses for purposes of calculating U.S. price and FMV, and as G&A for purposes of calculating CV. INA further notes that based on the verification in the second review, the Department reclassified INA's R&D costs from indirect selling expenses to general administrative expenses.

Department's Position: Since INA's R&D expenditures were general in nature, we do not consider these expenses to be part of the COM for specific products. Therefore, for the purposes of CV, we treated these expenses as general administrative expenses.

Comment 3: Torrington claims that the Department should reject FAG–Italy's reported R&D amounts because they were calculated on a product-line, rather than a product-specific, basis. Torrington also argues that the reported general R&D costs should have been classified as part of COM rather than as an element of G&A in the calculation of COP and CV.

In rebuttal, FAG–Italy maintains that the record is clear that product-line R&D ratios could not be calculated on a product-specific basis and that general R&D costs were properly included as an element of G&A expense.

Department's Position: We disagree with Torrington. In our supplemental questionnaire to Section D, we asked FAG–Italy whether it could allocate R&D expenses on a product-specific basis. FAG–Italy stated that it could not, as its cost accounting system did not track R&D activities on a product-specific or class or kind basis. In lieu of a product-specific allocation, it allocated R&D expenses over all roller bearing products in proportion to their cost of goods sold. Because this product-line methodology is reasonable and consistent with FAG–Italy's normal accounting system, we have no basis for rejecting FAG–Italy's product-line reporting of R&D expenses.

We disagree also with Torrington's suggestion that it was improper to include general R&D expenses as an element of G&A when calculating COP and CV. We note that, in our questionnaire, we specifically instructed respondents to allocate R&D that was not related to a specific product or product line to all products of the company and to include it in G&A. Therefore, it would be inappropriate to reallocate general R&D expenses to COM, as suggested by Torrington.

Comment 4: Torrington argues that RHP's general R&D costs should be reclassified as fabrication costs because it is highly unlikely that RHP incurs only general R&D costs, as all products incur specific R&D costs. Torrington further argues that NSK–Europe's 1991 annual report shows that product-specific R&D costs are incurred in the European Research Center ("ERC"). Torrington asserts that RHP has not clearly shown that none of the ERC's projects affected, or was related to, sales during the POR. Therefore, Torrington asks that RHP's R&D costs be attributed to cost of manufacture.

RHP responds that Torrington's allegations are unsupported by the record. According to RHP, NSK–Europe's annual report shows only that the ERC was expected to do general bearing research that would benefit the aerospace industry and that the ERC's efforts would be to the general benefit of the companies participating in its operation. Finally, RHP argues that the ERC did not begin operating until the end of February 1992, only two months before the end of the POR, and therefore had no effect on RHP's sales during the POR.

Department's Position: We agree with RHP. Nothing on the record indicates that RHP's R&D expenses should be reclassified, and we are satisfied that the ERC's activities did not have an impact on sales during the POR. Therefore, we accepted RHP's R&D as a general expense for this review.

C. Profit for Constructed Value

Comment 5: Torrington maintains that the statutory provisions that apply to foreign market value are applicable regardless of whether HM price, third country price, or constructed value is the basis for foreign market value. As such, the statute requires that sales below cost must be disregarded in the determination of constructed value. Torrington states that by including below-cost sales in its calculation of the profit amount of constructed value, the

Department is not disregarding those sales, but using them to determine foreign market value. Torrington contends that if such sales were properly "disregarded," constructed value profit would be calculated based only on sales above cost.

Torrington argues that, while the original intent of Congress in the below-cost provisions of the statute was to prevent foreign producers from lowering their HM prices to disguise dumping, the Department's methodology, which includes the below-cost sales in the calculation of profit for constructed value, provides "an obvious incentive to minimize constructed value" by using below-cost sales in the profit calculations, with respondents often obtaining the statutory minimum profit of eight percent.

Torrington contends that the expression "ordinary course of trade" as defined in 19 U.S.C. 1677(15) "parallels 19 U.S.C. 1677(b) (quoted *supra*), which indicates that below-cost sales are not to be considered 'normal' sales (i.e., sales in the 'normal course of trade')." Since "sales outside the 'normal course of trade' are sales outside the 'ordinary course of trade,'" Torrington argues that "below-cost sales must be disregarded in calculating 'constructed value' profit, when made in substantial quantities over an extended period of time." Torrington further points out that the United States has taken this position in the framework of the General Agreement on Tariffs and Trade (GATT). Also the domestic statutes of the European Community, Canada, and Australia also reflect this understanding.

Respondents maintain that it would be incorrect for the Department to disregard below-cost sales in the calculation of constructed value because:

(1) This position is not supported by a proper reading of the statute;

(2) The international agreements and foreign legal determinations referred to by Torrington do not support its argument and are not relevant to the administration of the U.S. antidumping law; and

(3) This position would impose an immense logistical burden on both the respondents and the Department.

Department's Position: We disagree with Torrington's contention that the calculation of profit should be based only on sales that are priced above the cost of production. Section 773(e)(1)(B) of the Tariff Act specifically imposes a variety of requirements on the calculation of profit in determining constructed value. Namely, the profit should be equal to that usually reflected in sales: (1) Of the same general class or kind of merchandise; (2) made by producers in the country of exportation; (3) in the usual commercial quantities; and (4) in the ordinary course of trade. Thus, the statute does not explicitly provide that below-cost sales be disregarded in the calculation of profit. The detailed nature of this sub-section suggests that any requirement concerning the exclusion of below-cost sales in the calculation of profit for constructed value would be explicitly included in this provision. Accordingly, it would be inappropriate for the Department to read such a requirement into the statute.

It would be similarly inappropriate to hold that sales below cost are automatically outside the ordinary course of trade. When CV is used as the basis for FMV, the Department is required to calculate profit based on sales of merchandise that are, *inter alia*, made in the ordinary course of trade. Contrary to Torrington's assertions, however, in the definition of "ordinary course of trade," section 771(15) of the Tariff Act does not exclude or even mention sales below-cost:

> The term 'ordinary course of trade' means the conditions and practices which, for a reasonable time prior to the exportation of the merchandise which is the subject of an investigation, have been normal in the trade under consideration with respect to merchandise of the same class or kind.

Thus, although the Department is required to calculate profit for constructed value based on sales in the ordinary course of trade, this requirement does not necessitate the exclusion of below-cost sales in this calculation.

Finally, section 773(b) of the Tariff Act, which requires the Department to disregard certain sales below the cost of production in the calculation of FMV, suggests that below-cost sales *per se* are not outside the ordinary course of trade. Not only are sales below the cost of production not defined as outside the ordinary course of trade, but an interpretation that "outside the ordinary course of trade" automatically includes below-cost sales would make the below-cost provision, wherein sales below-cost may be disregarded only if certain conditions are satisfied, entirely unnecessary. Thus, there is no theory with respect to "ordinary course of trade" that is both consistent with the various references to "ordinary course of trade" in the statute and that requires the Department to base the calculation of profit only on sales above the cost of production. Torrington's references to the legislative history of the Trade Act in support of its position to the contrary are unpersuasive, and references to GATT as well as to Canadian, Australian, and E.C. law cannot be considered in light of the clarity of our statutory framework on this issue. Consequently, we have continued our normal practice of using the greater of the rate of profit provided in the response or the statutory eight percent minimum.

Comment 6: Torrington contends that, if the Department does not calculate profit for CV based only on sales above the cost of production, it should use a profit rate based on all reported HM sales rather than the statutory minimum of eight percent reported by certain companies.

Department's Position: We disagree with petitioner that reported sales in this case would be the appropriate foundation for a profit rate in our calculation of constructed value. Section 773(e)(1)(B) of the Tariff Act directs us to use profit equal to that usually reflected in sales of the same general class or kind of merchandise. However, we requested that all respondents report only sales of such or similar merchandise, and NSK, FAG–Italy, FAG–UK, and INA–Germany reported only those sales. We do not believe that the profit on the sales of such or similar merchandise can be presumed to be representative of the profit for the general class or kind of merchandise. Instead of calculating profit only on such or similar merchandise, we calculated profit based on the class or kind. Because the profit we calculated for NSK, FAG–Italy, FAG–UK, and INA–Germany was less than eight percent, we have used the statutory minimum of eight percent.

Comment 7: RHP–UK claims that due to a clerical error it reported in its questionnaire response profit levels for certain transactions that greatly exceeded the eight percent statutory minimum. RHP–UK contends that a review of the record indicates that these profit rates are "clearly erroneous," and that the actual profit rates are below the eight percent minimum.

Torrington argues that RHP failed to provide any demonstration that its profit on HM sales was less than the eight-percent statutory minimum. Torrington claims that evidence of record suggests that RHP may have understated its average profit. Federal-Mogul argues that the existence of an error must be so obvious from the evidence of record that failure to correct it constitutes an abuse of discretion. Federal-Mogul contends that RHP's alleged error is not at all obvious on this record and therefore should not be corrected.

Department's Position: We agree with Federal-Mogul and Torrington. The record does not establish that RHP's profit is "clearly erroneous," and RHP did not attempt to correct its data in a timely manner. Therefore, we have not changed RHP's reported profit levels.

Comment 8: Torrington argues that while NMB/Pelmec calculated separate profits for NMB-made models and Pelmec-made models, the Department should use instead the average profit earned by NMB/Pelmec on unrelated-party sales to calculate CV. Citing to 19 U.S.C. 1677b(e)(1), Torrington contends that the statute contemplates a single average profit based on respondent's earnings on the "same general class or kind" of merchandise.

NMB/Pelmec argues that the statute does not require that the same average profit value be applied to all models under review. In NMB/Pelmec's view, there is no statutory authority requiring the use of a single average profit for all CV models. NMB/Pelmec maintains that the statute merely prohibits the use of a profit value derived from products not of the "same class or kind as the U.S. models under consideration." Citing Color Television Receivers from Taiwan; Final Determination of Sales at Less than Fair Value, 49 FR 7628 (March 1, 1984), NMB/Pelmec states that the Department requires an exact measurement of a company's CV for each model under consideration. NMB/Pelmec argues that the Department does not apply a single average cost of manufacturing to each CV model. The manufacturing costs used for CV are model-specific. Therefore, profits that are obtained by subtracting costs from revenue should also be model-specific.

NMB/Pelmec further states that the language of 19 U.S.C. 1677b(e)(1)(B) regarding "sales of merchandise of the same general class or kind as the merchandise under consideration" should not be interpreted to require a single general expense and profit value for all models, especially since NMB/Pelmec keeps its books in a manner that provides greater specificity than the class or kind level.

Department's Position: We disagree with NMB/Pelmec's assertion that 19 U.S.C. 1677b(e)(1)(B) permits the calculation of profit for CV on a model-specific basis. Our interpretation of the words "same general class or kind" is much broader and, in the case of NMB/Pelmec, covers all subject ball bearings. The fact that NMB/Pelmec's accounting records allow it to provide greater specificity than the general class or kind level is irrelevant.

While we agree that Torrington's suggestion that profit could be calculated on the same general class or kind, we disagree that only profit on unrelated party sales should be used. For reasons similar to those for which we include below-cost sales in the profit calculation, we have included NMB/Pelmec's Thai sales to related parties in the profit calculation. (See Comment 4 in Section B: Profit for Constructed Value.)

D. Related Party Inputs

Comment 9: Torrington argues that in accordance with 19 U.S.C. 1677b(e)(3), transfer prices for certain parts and balls submitted by NMB/Pelmec-Thailand and NMB/Pelmec-Singapore for use in the calculation of constructed value should be rejected. Torrington asserts that the Department should use the cost of manufacturing those parts and balls to determine constructed value for all bearings incorporating the balls and parts in question. Torrington also argues that NMB/Pelmec's demonstration of arm's-length prices for machinery, equipment, and tooling and dies purchased from related parties is inadequate. Torrington contends that NMB/Pelmec's demonstration of overall profitability by its related supplier does not prove that the equipment sold to NMB/Pelmec was at arm's length. Torrington argues that the Department should reject the transfer prices and instead use the highest price found for equipment purchases from unrelated parties as BIA for these final results.

NMB/Pelmec responds that its transfer prices reflect market prices. NMB/Pelmec contends that, even though certain prices were below cost, its questionnaire response clearly demonstrates that the transfer price of parts purchased from related parties as a whole exceeded their total cost of production. NMB/Pelmec notes that the Department has accepted its transfer prices for components during the original fair value investigation and each subsequent review. According to NMB/Pelmec these prices were extensively reviewed and confirmed at multiple on-site verifications. NMB/Pelmec further states that the Department has also investigated and confirmed in previous reviews that the price of equipment purchased from related parties was above cost. In each case, and in the present review, NMB/Pelmec claims that it provided data to the Department indicating that its related party recovered all costs and earned a profit. NMB/Pelmec claims that Torrington's argument on overall profitability does not apply to this case since the profit realized was made on the particular products sold.

Department's Position: We agree in part with NMB/Pelmec Thai and NMB/Pelmec Singapore. Regarding machinery, equipment, tooling, and dies purchased from related parties, we find that the information in the record is sufficient to conclude that the transfer prices reported by respondents were in excess of the cost of production. Specifically, NMB/Pelmec Thai and NMB/Pelmec Singapore provided financial statements from related suppliers that pertained specifically to the equipment at issue. Further, the suppliers at issue sold only to respondents and other members of the Minebea Group, which is the parent company of respondents. Therefore, we conclude that it is reasonable for us to rely on the financial statements that respondents provided as the basis for our conclusion that NMB/Pelmec Thai and NMB/Pelmec Singapore purchased equipment from related suppliers at prices that were not below COP. As NMB could not provide information concerning arm's-length prices for these inputs, we used the transfer prices in our calculation of CV.

We were also able to use the information respondents provided to analyze whether the transfer prices paid for bearing parts were above cost. For each type of part purchased, we compared transfer prices to the cost of the part. When we found that transfer prices were not above cost, we made upward adjustments to transfer prices so that they reflected actual costs. For CV, the respondents also showed, where possible, that the transfer prices were arm's-length prices. Where parts purchased from related parties were not also purchased from unrelated parties, we used the higher of the transfer price or the cost of production of the input. Because we were able to use respondents' data to revise our calculations, we conclude that the application of BIA is not warranted in this instance.

Comment 10: Torrington asserts that NSK failed to establish that either transfer prices paid to related suppliers for components, or prices paid to related subcontractors for processing, were at arm's length. Torrington claims that, according to 19 U.S.C. 1677b(e)(3), if NSK could not provide prices paid for identical or comparable material or labor inputs from unrelated suppliers, NSK should have supplied cost information. Torrington argues that because NSK failed to report cost data, the Department must resort to BIA for these final results.

NSK responds that, contrary to Torrington's assertion, the Department is not required by law to reject material

transfer prices and subcontractor processing costs reported by NSK. According to NSK, section 773(e)(2) of the Tariff Act indicates that the Department may disregard any transactions between related parties for purposes of calculating constructed value, but it does not have to reject them. 19 U.S.C. 1677b(e)(2); 19 CFR 353.50(c).

NSK notes that verifications conducted in the Tapered Roller Bearings proceedings found that NSK's transactions with its related affiliates occurred at arm's length. NSK further argues that Japanese law prohibits a parent company from setting unreasonably low prices with its related subcontractor/ suppliers. NSK notes that it submitted to the Department selected pages of the results of investigations that confirm that NSK adheres to this Japanese law. NSK also notes that the evidence on the record demonstrates that NSK's related suppliers were profitable during the period of review. Noting that it cannot compare the components purchased from both related and unrelated parties because it seldom purchases identical components from both related and unrelated suppliers, NSK claims that it has responded to the Department's transfer price question to the best of its abilities.

NSK contends that since there are no reasonable grounds for the Department to believe that the transfer price reported is less than the cost of production, NSK is not required to report such cost data. According to NSK, section 773(e)(3) of the Tariff Act provides that the Department may determine the value of a major input utilizing BIA only if it "has reasonable grounds to believe or suspect that an amount represented as the value of such input is less than the costs of production of such input." 19 U.S.C. 1677b(e)(3). Since Torrington failed to make such an allegation and the Department never initiated such an investigation, NSK argues that it cannot be held at fault if it did not report cost information for related subcontractors.

Torrington, arguing that NSK's compliance with Japanese law is irrelevant, claims that the standard set by Japanese law is not sufficiently similar to the U.S. standard to support any Department determination of arm's-length prices.

Department's Position: We agree with Torrington. Despite our requests in the initial and supplemental questionnaires, NSK failed to provide either purchase prices from unrelated parties that we could have used to determine whether the transfer prices that NSK paid to related parties for inputs were at arm's length or cost of production data to demonstrate that the transfer prices were not less than COP. Further, the standard established by Japanese law is not sufficiently similar to that established in section 773(e)(2) of the Tariff Act for us to rely on NSK's compliance with that law as evidence that transfer prices paid by NSK are arm's-length prices. Therefore, we determine that NSK's CV data do not provide a reliable basis for FMV. As a result, we have used second tier BIA to determine the dumping margins for those U.S. sales for which CV would have been used as FMV.

Comment 11: Torrington asserts that the Department should correct several discrepancies in material costs that were noted on two pages of NPBS' verification report.

NPBS states that the discrepancies in materials costs that were noted at verification were very small in both number and magnitude, underscoring the high degree of accuracy of NPBS' response.

Department's Position: For these final results we have adjusted NPBS' submitted materials cost to account for all discrepancies noted at verification.

Comment 12: Torrington alleges that NPBS' explanation of how it calculated its total costs of materials purchased from unrelated suppliers is practically incomprehensible. Torrington argues that in the absence of supplemental findings at verification, the Department should reject this segment of the response in favor of BIA.

NPBS and Emerson respond that the verification report is highly favorable and note only a few exceedingly small discrepancies regarding the cost of materials purchased from unrelated suppliers.

Department's Position: We disagree with Torrington. Since we confirmed at verification that NPBS accurately reported its material costs, with the exception of minor discrepancies that we have corrected, we have accepted this information for these final results.

Comment 13: Torrington asserts that NPBS failed to establish that the average transfer prices paid to related suppliers were arm's length. Consequently, Torrington argues, if NPBS was unable to isolate prices paid for identical or comparable material inputs from unrelated suppliers, NPBS should have supplied cost information. Because NPBS failed to report cost of production data for related-party components, the Department should resort to BIA for these final results.

NPBS responds that the verification report clearly states that "The housing costs from the unrelated supplier is [sic] substantially less than the charges to NPB[S] for the purchase of identical housings from the related supplier". EPT responds that to the extent that any changes are made to NPBS' submission, they should be limited to those described in the verification report.

Department's Position: We disagree with Torrington. While we determined there were discrepancies in the reported costs of suppliers (see Comment 12 above), we verified that NPBS' purchases from related suppliers were at arm's length and therefore accepted them for these final results.

Comment 14: Torrington claims that since NPBS knew it was likely that the Department would request information on the total quantity of parts purchased from unrelated suppliers, it was incumbent upon NPBS to retain this information in its records. Torrington notes that NPBS has not explained why its daily production reports would not include such information. Torrington requests that, because the verification report reveals that the reported data for base grindings by related parties reduced subcontracting costs; the Department should adjust NPBS' subcontractor costs in the manner suggested in the verification report.

NPBS responds that the cost of finished or semifinished parts was established by reference to vendor invoices, as noted in the verification report. NPBS states that it believes that its reported prices for base grindings charged by related parties are fair and accurate. Emerson notes that NPBS' material costs were successfully verified by the Department.

Department's Position: We agree with Torrington in part. Since the reported data for base grindings by related parties reduced subcontracting costs, we have made the appropriate adjustments for these final results. However, we confirmed at verification the reliability of NPBS' cost of finished and semifinished parts and are therefore accepting this information for these final results.

Comment 15: Torrington contends that section 773(e)(2) of the Tariff Act instructs the Department to disregard transfer prices for calculating constructed value if they do not "fairly reflect the amount usually reflected in the sales in the market * * *" i.e., in arm's-length transactions. Torrington claims that the statute specifically states that where related-party transactions are the source of any portion of the CV calculation, and no other transactions are available, the determination of the value of that portion of the CV calculation "shall be based on the evidence available" of an unrelated

party price. 19 U.S.C. 1677b(e)(2). Torrington contends that while the foregoing is the general rule, there is a special rule for "major input(s)" in 1677b(e)(3) that provides that if the Department has grounds to believe that the transfer price of such an input is less than cost of production, the agency "may determine the value of the major input on the basis of the best evidence available regarding such cost of production if such costs are greater than the amount that would be determined (under the general rule)."

Torrington contends that these provisions, taken together, require respondents to supply, in all related-party input situations (i) transfer prices, (ii) prices of sales to unrelated buyers, and (iii) in the case of major inputs, relevant costs of production as well. Torrington argues that it is simply inadequate for any respondent unilaterally to select which of this data it will submit.

Torrington argues that in the case of FAG-Italy, which obtained components from FAG-Germany for further manufacturing in Italy, and SKF, which purchased inputs from Ovako, COP was inappropriately submitted without additional information documenting transfer prices for major inputs or an arm's-length price to an unrelated buyer. Torrington argues that since COP data does not include profit, the reported costs might therefore be substantially less than either transfer or arm's-length prices. Torrington asserts that the Department should base the value of all major inputs on the best information available of what an unrelated party would charge for such inputs. 19 U.S.C. 1677b(e)(2). At the least, Torrington argues, the Department should use the cost of production plus profit. While Torrington recognizes that the questionnaire did not require this information, Torrington argues that the Department should require that the respondents immediately make the appropriate showings or the Department must resort to BIA for FAG and SKF's material costs.

In addition, because SKF failed to support its claim that the reported COP reflected full production costs, as requested in the Department's deficiency letter, and failed to provide a full breakdown of Ovako's costs, the Department should still resort to BIA for SKF's material costs for CV and COP.

SKF contends that, because Ovako became a wholly-owned subsidiary of AB SKF during the third period of review, SKF has properly reported the input cost of steel purchased from Ovako and used in bearing manufacture. SKF further argues that because cost was relied upon and transfer prices were not reported and are not relevant, a comparison of transfer price to COP is unwarranted.

FAG notes that in the LTFV investigation of this proceeding the Department reiterated its consistent policy of using actual costs rather than transfer prices for COP in cases where there is more than a fifty percent direct or indirect ownership between the companies. The Department also found that credible market prices for bearing components could generally not be found. Consequently, there were no arm's-length prices to compare to transfer prices. Thus, for CV purposes, the Department used the cost of the components as representative of their value. FAG also notes that the Department disagreed with Federal-Mogul on this same issue in the previous review. FAG finally notes that its response was consistent with the guidelines found in the original questionnaire.

Department's Position: We disagree with Torrington in part. The constructed value related party provision contained in section 773(e)(2) is not directly applicable to cost of production calculations, because, by its terms, it only refers to constructed value calculations. Therefore, the Department bases its cost of production calculations on generally accepted accounting principles (GAAP). According to these principles, when one company is at least 50 percent owned by another company, the costs are based on the consolidated financial information of the two companies. Final Determination of Sales at Less than Fair Value, Certain Granite Products From Italy, 53 FR 27193 (July 19, 1988). When this degree of ownership exists, the transactions of these companies are consolidated and the costs of the products sold to third parties are recorded at the actual costs without intercompany profit/loss that might be included in the transfer prices between the companies. AFBS Investigation of SLTFV, 54 FR 18992. For transactions between parties with a lower ownership percentage, the transfer price could be used to develop the cost of production. Final Determination of Sales at Less than Fair Value, Fresh and Chilled Atlantic Salmon from Norway, 56 FR 7661, 7670 (February 25, 1991).

When calculating constructed value, section 773(e)(2) of the Tariff Act authorizes the Department to disregard inputs from all related suppliers when the value of those inputs does not fairly reflect the market value (arm's-length price) of those inputs and base the value of the input on the best evidence available. In instances where the Department has reason to believe that the value of a major input is less than the cost of production, section 773(e)(3) authorizes the Department to determine the value of the major input on the basis of the best evidence available regarding such cost of production, if such costs are greater than the market value.

In accordance with the Department's policy, our questionnaire requires that, for purposes of calculating COP, respondents submit the actual COP of all inputs purchased from suppliers with a relationship of 50 percent or greater.

In accordance with the statute, our questionnaire requires that, for purposes of calculating CV, all respondents submit to the Department the actual transfer price of all inputs purchased from all related suppliers. In addition, the questionnaire requires that respondents demonstrate that the price of such inputs are at arm's length by submitting comparisons of identical or similar inputs purchased from unrelated suppliers. If comparisons to identical or similar merchandise are not available, the questionnaire then requires respondents to provide the cost of production of the inputs supplied by related parties.

Because SKF and FAG have greater than a fifty percent relationship to the suppliers of the inputs in question, these respondents properly submitted the actual COP of the inputs for the purposes of calculating COP. However, since the statute requires, and the questionnaire requests, that the value of inputs obtained from related parties for the calculation of CV be based on arm's-length prices, FAG and SKF were responsible for submitting the actual transfer price of the inputs and demonstrating the arm's-length nature of that price. Because SKF and FAG failed to do either, we have increased their material inputs by eight percent, the statutory minimum profit prescribed in section 773, as BIA for an arm's-length transfer price.

Comment 16: Referring to 19 U.S.C. 1677b(e)(2), Torrington argues that the loose balls purchased by RHP from related party NSK-AKS should be tested for reliability against prices charged in arm's-length transactions in the United Kingdom. Torrington notes that RHP has provided the transfer prices for NSK-AKS loose balls, but that RHP has not reported cost of production or supplied prices charged to unrelated third parties for these inputs. Torrington contends that RHP has not demonstrated on the record that the sales of loose balls were made at arm's length. Therefore, Torrington argues that the Department

should determine the value of the loose balls based on an unrelated party price in the United Kingdom or based on BIA.

RHP responds that it has provided the acquisition costs for the loose balls and stated that the purchases were at arm's length. In addition, RHP states that it has provided the prices charged for loose balls by an unrelated entity in a foreign country, and that it has shown that these prices were lower than the prices charged by NSK-AKS. RHP asserts that at verification the Department examined the pricing structure between related and unrelated parties and concluded that the prices charged by NSK were within the range of prices charged by unrelated suppliers. In conclusion, RHP argues that there is no statutory requirement forcing the Department to use BIA on RHP's purchases of loose balls from NSK-AKS.

Department's Position: Because we found at verification that the NSK-AKS prices are greater than the prices charged for the same loose balls by RHP's principal unrelated supplier, we have used the reported transfer prices for determining the value of NSK-AKS's loose balls.

E. Inventory Write-off

Comment 17: Torrington argues that Koyo's practice of writing off damaged or obsolete finished goods and charging the expense to non-operating expense is inconsistent with Departmental precedent. Torrington states that, in Certain All-Terrain Vehicles from Japan, 54 FR 4864, 4866 (January 31, 1989), the Department ruled that "the value of obsolete inventory * * * should be allocated over the period during which obsolescence is assumed to have occurred".

With respect to NSK, Torrington also argues that, while NSK's practice of writing off obsolete inventory every six months may be in accordance with Japanese GAAP, it is inconsistent with Departmental precedent regarding cost of production. See, e.g., AFBs LTFV Investigation, 54 FR at 19706 (1989), Final Determination of Sales at LTFV; Certain All-Terrain Vehicles from Japan, 54 FR 4864, 4866 (January 31, 1989). Torrington asserts that NSK's costs have not been included in the cost of manufacturing. For the final results Torrington requests that the Department reallocate these expenses in accordance with its well-established practice.

Koyo claims that, in the current review as well as past AFB reviews, the Department has accepted its write-down cost for damaged or obsolete finished goods as a general expense in its COP calculation. Koyo argues that although the Department used a specific methodology to address the specific facts of the *Certain All-Terrain Vehicles* case, that determination does not prevent the Department from treating these costs in the manner that it has adopted in the AFB reviews.

NSK argues that its accounting adjustment has no bearing on the cost of producing the merchandise and its resulting effect should not be included in the cost of production calculation. NSK notes that, should the Department agree with Torrington, it should still decline to make an adjustment to NSK's reported COP on the grounds that this expense is *de minimis*. 19 CFR 353.59(a).

Department's Position: We view losses on the sale or disposal of fixed assets and write-downs/write-offs of inventory as a normal cost of production. We consider any income or credits generated by these transactions as an offset against the expense to arrive at the actual cost incurred by the company. AFBs Investigation of SLTFV, 54 FR at 19076. Therefore, we have accepted Koyo's and NSK's inventory write-off expenses in the calculation of COP.

F. Depreciation

Comment 18: Torrington argues that the Department has a consistent practice of including depreciation on idled assets in the COP (e.g., AFBs Investigation of SLTFV, 54 FR at 19074; Television Receivers, Monochrome and Color, from Japan, 56 FR 5392, 5394 (February 11, 1991) and should therefore adjust NTN's and NSK's reported COP for depreciation on idle equipment. Torrington argues that, because NSK's reported depreciation expenses are based on its financial statements, there is reason to believe that these expenses do not include depreciation on idle assets because Japanese accounting practice, unlike Departmental practice, allows companies to halt depreciation expenses on idle equipment. Therefore, the Department should use the highest reported depreciation costs of another respondent as BIA for NSK's COP calculation. With respect to NTN, Torrington notes that it submitted a factor to adjust NTN's CV based on the information included in NTN's supplemental section D response. Torrington asserts that the Department should make this modification for these final results.

NTN responds that there is no basis for including a fictitious value for idled equipment in calculating COP and CV. NTN states that in accordance with Japanese GAAP this expense is not recorded on its books. NTN further states that it is unaware of any accounting theory or system that requires that such an expense be recorded. It is illogical, according to NTN, to include in the calculation of COP depreciation expenses for equipment that is not even in use.

NSK responds that, since the Department chose not to ask whether NSK halted depreciation for idle assets in either the original or supplemental questionnaires, NSK cannot be held at fault if it did not report this information. NSK contends that since it complied fully with the Department's request for information about depreciation, the Department may not properly apply BIA for these final results.

Department's Position: We include in the fully absorbed factory overhead the depreciation of equipment not in use or temporarily idle. While Japan's accounting methodology does provide that depreciation for idle equipment may be stopped, we do not accept this accounting method because idle fixed assets are a cost to the company. AFBs Investigation of SLTFV, 54 FR at 19706. Based on the information in NTN's supplemental response, we have calculated depreciation expenses on NTN's idle assets and included them in the calculation of NTN's COP/CV for these final results. Regarding NSK, there is no evidence on the record that NSK incurred depreciation expenses on idle assets. Therefore, BIA is unwarranted for these final results.

G. Interest Expense Offset

Comment 19: Torrington argues that NTN's reported interest expense as a component of general expense was reported net of "short-term interest received" and "income from sale of negotiable securities." Torrington maintains that interest expense should not be offset by interest income unless the Department has determined that the income is from compensating balances or investments from working capital. Any offset should be from interest income earned from the operations of the company as opposed to investment activities of the company. Since NTN failed to tie interest income to manufacturing or production activities, the Department should recalculate COP and CV without regard to interest income.

Department's Position: We agree with petitioner. Since NTN did not differentiate between interest income derived from investment activity as opposed to bearing manufacturing operations in its calculation of net interest expense, we have disallowed an

offset to interest expense in the calculation of COP and CV.

H. Packing

Comment 19: NSK argues that the Department failed to adjust properly for the difference between export and domestic packing in those instances in which the Department based foreign market value on constructed value. Specifically, NSK states that although the Department added U.S. packing expenses to constructed value, it failed to deduct the HM packing expenses that NSK had included in its reported constructed value. Therefore, NSK requests that the Department deduct HM packing expenses from constructed value for the final results.

Torrington responds that the Department must assure itself that NSK's reported constructed value includes HM packing costs before deducting such costs from constructed value.

Department's Position: We have reviewed NSK's constructed value data and have determined that NSK included HM packing costs in the total manufacturing costs on which we based constructed value. We note, however, that this issue is moot because we have determined that NSK's constructed value data does not form a reliable basis for FMV, and, therefore, have used BIA to determine dumping margins for U.S. sales that would have been compared to constructed value. See Response to comment 10, above.

Comment 21: NTN argues that the Department overstated the cost of production that it used in its preliminary analysis. Specifically, NTN states that the Department added HM packing expenses to the cost of production, despite the fact that NTN's reported manufacturing costs already included packing costs. Accordingly, NTN requests that the Department not add HM packing costs to the cost of production for the final results.

Torrington responds that NTN's reporting of separate packing costs in its response to the Department's cost of production/constructed value questionnaire suggests that such costs are not already included in NTN's reported manufacturing costs. In the absence of any evidence suggesting that NTN included packing costs in its reported manufacturing costs, Torrington concludes that the Department should add packing costs to the cost of production for the final results.

Department's Position: We have reviewed NTN's cost of production data and have determined that NTN included HM packing costs in the total manufacturing costs on which we based our calculation of cost of production. Therefore, we have not added HM packing costs to the cost of production for these final results.

Comment 22: Torrington requests that the Department use in its constructed value calculations the customer-specific packing expenses that NTN reported in its questionnaire responses.

Department's Position: We agree with Torrington and have used the customer-specific packing expenses reported by NTN in our calculations.

I. Other Issues

Comment 23: Torrington contends that because a substantial number of gaps appear in NPBS' section D response, the Department should reconsider its reliance on NPBS' cost data. Torrington asserts that as a result of using actual costs in its cost accounting methodology, and maintaining these costs on a company-wide basis without the use of cost centers and/or a standard budgeted costing method, NPBS does not describe how it accounts for such costs as supplies expenses, overhead, and cost of production data for a selected model. Torrington claims that NPBS was unquestionably on notice that: (1) An accurate cost accounting method is required; and (2) reported costs must be tied to NPBS' internal books and records.

NPBS argues that production costs can be accounted for and described without the use of budgeted costs, standard costs, and multiple cost centers. Further, NPBS believes that it adequately described its method of reporting model-specific costs of production for the COP and CV responses.

Department's Position: Verification showed that, although there were minor discrepancies, NPBS' COP response generally provided an accurate reflection of the costs incurred by NPBS to produce the subject merchandise. Therefore, although we have made minor modifications, we have accepted NPBS' reported COP data for these final results.

Comment 23: Citing Certain Fresh Cut Flowers From Colombia; Final Results of Antidumping Duty Administrative Review, 55 FR 20491, 20495 (May 17, 1990), Torrington asserts that imputed owners' salaries are properly included in CV or cost calculations. Petitioner contends that INA refused to provide information regarding imputed owners' salaries as required by the Department's deficiency letter and, therefore, the Department should resort generally to BIA and not allow INA to benefit from a refusal to cooperate.

INA responds that, although it did point out that imputed salaries are not properly included in CV or COP calculations, it did provide the requested information in its response to the Department's supplemental cost questionnaire.

Department's Position: We agree with Torrington that imputed owners' salaries are properly included in CV and COP calculations. See Certain Fresh Cut Flowers From Colombia; Final Results of Antidumping Duty Administrative Review, 55 FR 20491, 20495 (May 17, 1990). However, we disagree with petitioner's assertion that INA refused to provide such information. Respondent reported total imputed owners' salaries in its response to the Department's supplemental cost questionnaire. Accordingly, we have adjusted INA's reported CV and COP to account for imputed owners' salaries.

Comment 24: Federal-Mogul argues that SNR France improperly classified imputed inventory carrying cost as direct selling expenses for the calculation of CV. Federal-Mogul contends that inventory carrying cost should have been classified as indirect selling expenses and argues that, for the final results, the Department should deny SNR's entire direct selling expense adjustment to CV.

SNR responds that, while it agrees that inventory carrying cost should not be classified as direct expenses, the Department should simply reclassify these expenses as indirect selling expenses for the final results rather than follow Federal-Mogul's suggestion and deny the entire direct selling expense adjustment to CV.

Department's Position: We agree with SNR. Since the inappropriate classification of inventory carrying cost can easily be corrected using information already on the record, we have reclassified inventory carrying cost as indirect selling expenses for these final results.

Comment 25: Federal Mogul argues that the Department failed to account for the fact that the COP submitted by SNR does not include packing material and labor, and inland freight and insurance. Federal-Mogul contends that, in order for the cost test to have any validity, the Department should deduct freight and packing from the HM price before conducting the cost test for the final results.

SNR responds that the Department's questionnaire clearly states that neither packing nor transportation costs are to be reported as a part of COP. SNR also notes that neither 19 U.S.C. 1677b(b)

nor 19 CFR 353.51(c) makes any mention of packing or transportation costs in the definition of COP. As a result, SNR argues that no adjustment to its submitted COP is appropriate. In addition, SNR argues that any adjustments to the HM price for comparison to COP should be limited to price adjustments.

Department's Position: We agree with Federal-Mogul that in order for the cost test to be valid, all costs and expenses included in the HM price should also be included in the COP to which it is being compared. Since INA did not include packing and freight expenses in the COP reported to the Department, these expenses should not remain in the HM price for the purposes of conducting the cost test. Therefore, for these final results, we will deduct from the HM price all packing and transportation expenses.

Comment 26: INA claims that the Department erroneously failed to deduct HM direct and indirect selling expenses in its calculation of the preliminary results where CV was used as the basis for FMV. Respondent also claims that the Department failed to deduct HM direct selling expenses where the constructed value of further manufactured sales was used as the basis for FMV.

Department's Position: We agree with INA that, in calculating the preliminary results, we failed to deduct HM direct and indirect selling expenses where CV was used as the basis for FMV. Thus, we have revised the margin calculation program for the final results in accordance with the above findings. However, we disagree with INA that we failed to deduct HM direct selling expenses where constructed value of further manufactured sales was used as the basis for FMV.

Comment 27: Torrington argues that the Department should reject SKF's method of calculating general expenses for purposes of constructed value since it yields inappropriate results. Because SKF's calculation goes beyond home market sales in the calculation of general expenses by dividing average HM expenses over the average COM of U.S. sales and then applying that percentage to the COM of each U.S. model, the method does not meet the statutory requirement that the expenses be equal to "that usually reflected in sales of merchandise of the same general class or kind as the merchandise under consideration which are made by producers in the country of exportation" (19 U.S.C. 1677b(e)). Torrington argues that since SKF's method results in the same models having significantly different selling expenses in COP and CV, the selling expenses should be calculated exclusively on the basis of HM data. Torrington further argues that selling expenses should be calculated exclusively on the basis of HM data and that SKF's methodology adjusts the data through a calculation that takes into account the COM of models sold in the United States.

Torrington also argues that SKF's methodology is contrary to the law as it adjusts HM expenses when an adjustment is not appropriate. Torrington contends that the appropriate method for adjusting selling expenses is by way of "circumstance of sale" adjustments pursuant to 19 C.F.R. 353.56. However, SKF has not demonstrated that a "circumstance of sale" adjustment should be made.

Torrington proposes that the Department either calculate appropriate per unit amounts, based exclusively on home market data, and add these amounts to U.S. COM or express HM selling expenses as a percentage of HM COM, and then apply the resulting ratios to U.S. COM. If this is not possible, then the Department should resort to BIA.

SKF argues that it is applying the "Minivans methodology" to calculate selling expenses for purposes of CV. (See Final Determination of Sales at Less Than Fair Value: New Minivans from Japan, 57 FR 21937 (May 26, 1992)) (Minivans). SKF argues that the statute does not preclude reference to U.S. merchandise, but simply requires that the reported general expenses be in an "amount equal" to that usually reflected in HM sales. SKF uses the HM expense amount and, following Minivans, then distributes this amount to merchandise sold in the United States. SKF claims that the latter application is necessary since the CV calculation is in fact a constructed value for the models sold in the United States. SKF agrees with the petitioner that there will be differences in selling expenses depending upon whether COM for products sold in the HM or COM for products sold in the United States are used as the denominator in the calculation and argues that this further supports use of the Minivans calculation methodology for selling expenses. Also SKF argues that it has not "adjusted" the reported selling expenses, but calculated a weighted average per unit HM expense amount and carried that amount throughout its calculation.

Department's Position: We agree with Torrington that the methodology used by SKF yields inappropriate results. We have reconsidered the approach taken in Minivans. In Minivans, we calculated a HM weighted-average per unit amount of general expenses. This per unit amount was divided by the average U.S COM to develop a ratio which was then applied to each U.S. COM. In this case, we calculated the ratio of general expenses to the COM in the HM and applied this same ratio to the COM of U.S. sales. With great variations in quantity and product mix between the two markets, this approach is more accurate than that used in Minivans.

The general expenses incurred in the HM have no meaningful relationship to the merchandise that was sold in the United States since they were incurred for HM sales. There is no reason to apply the general expenses incurred for one "average" HM product to an "average" U.S. product that may be substantially different in cost or value. To do so would result in different general expense ratios being attributed to identical merchandise depending on whether it is sold in the HM or sold in the United States. That is, the general expenses in the constructed value of a given model would be different from the general expenses actually attributable to HM sales of that same model.

Therefore, we have revised SKF's general expenses for CV by calculating the ratios of HM general expenses to the COM in the HM and applying that ratio to the COM of each U.S. product.

Comment 28: Torrington argues that the Department should not accept NPBS' reported labor costs or any other expense derived from a time and motion study that was audited by the Japanese Bearing Inspection Institute. NPBS contends that the accuracy of the fabrication cost data developed by the report is the significant factor, not that it was audited by the Japanese Bearing Inspection Institute.

Department's Position: We agree with respondent. We verified this data and did not find discrepancies.

Comment 29: Izumoto acknowledges that it inadvertently failed to supply constructed value for all models sold in the United States during the POR. However, Izumoto contends that it has provided all necessary information to allow the Department to calculate constructed value for observations where no HM match is found. Izumoto requests that the Department use the COME field in the Section B submission for cost of manufacturing, plus (1) the percent reported for all models in the GENTOT field for general expenses and (2) the statutory eight-percent profit (since Izumoto did not make a profit during the POR). In the alternative, Izumoto recommends using the constructed value that was reported for models that are approximately equal in

cost to those models for which constructed value was not reported.

Izumoto also objects to the use of BIA on two observations concerning models that were purchased, not produced, by Izumoto. Izumoto states that it provided the acquisition cost of these models in its Section B response, and that the Department should use this cost, plus SG&A and profit as the basis for FMV.

Department's Position: We agree with Izumoto and have determined constructed value using the COME, GENTOT, and PROFIT fields for the relevant observations. Accordingly, we do not reach Izumoto's alternative suggestion of using the constructed value of similar models. We resorted to BIA for those models that were manufactured by Izumoto, but for which no cost of manufacturing was reported. Concerning the two observations involving models not produced by Izumoto, we used acquisition cost as a substitute for cost of manufacturing.

Comment 30: Federal-Mogul argues that the Department failed to account for all costs and expenses in its investigation of possible HM sales below the cost of production for NSK. According to Federal-Mogul, the Department did not deduct movement, packing, and commission expenses from the adjusted price that it compared to the cost of production, despite the fact that it is unclear whether NSK's reported cost of production includes these expenses. In order to ensure that the adjusted price and cost of production contain the same elements, Federal-Mogul requests that the Department either confirm that NSK's reported cost of production includes movement, packing, and commission expenses, or deduct these elements from the adjusted price compared to cost of production for the final results.

In response, NSK confirms that its reported cost of production includes packing, movement, and commission expenses. Therefore, NSK asserts that the Department does not need to recalculate the adjusted price that it used in its investigation of possible below-cost sales for these final results.

Department's Position: We have reviewed NSK's cost of production data and have determined that NSK included packing, movement, and commission expenses in its reported cost of production. Therefore, we have not deducted these expenses from the adjusted price that we compared to the cost of production for these final results.

Comment 31: Torrington argues that in many instances, NTN's constructed value data is incorrect, because the constructed value is significantly lower than the reported U.S. selling price. Although Torrington could not identify the source of this apparent discrepancy, it urges the Department to identify and correct the error that created these seemingly anomalous results.

Department's Position: We agree with Torrington. We found in the computer program used for the preliminary results certain clerical errors that distorted our CV calculations. We have corrected these errors for the final results.

Comment 32: Barden states that it made a computational error in the calculation of the per unit cost of a particular component, resulting in significantly higher CVs for three reported bearings. Citing *Koyo Seiko* v. *U.S.*, 746 F. Supp. 1108 (CIT 1990), Barden argues that the Department should correct computer input errors caused by respondent in the interest of promoting fundamental accuracy, and avoiding litigation. In its case brief, Barden provided a chart that compares the components of COP and CV as submitted in this review with the components of COP and CV from the second review. Respondent also provided a comparison of the affected bearings' cost totals and component cost totals with its price totals to OEMs. Barden claims that this error is clearly "ministerial" as defined by 19 CFR 353.28. Barden argues that, similar to an error committed by RHP in the second review of AFBs, the error committed by Barden is an obvious clerical error readily apparent from the information on the record.

Torrington submits that the revelation of calculation errors calls Barden's entire response into question and that the Department should resort to BIA, at least with respect to Barden's costs. Petitioner argues that the Department should not revise Barden's costs in accordance with the new information submitted in respondent's case brief because Barden has gone to great lengths to demonstrate the existence of the error that disproves that such error is obvious on its face.

Department's Position: We disagree with Torrington that the Department should resort to BIA for Barden's costs. A supposed clerical error limited to three models does not indicate a wholly inaccurate response such that resort to BIA is warranted. However, we agree with Torrington that Barden's alleged error should not be revised. The respondent's reference to the "ministerial error" section of the regulations is irrelevant since this section refers only to errors made by the Department in its margin calculations. Our standard regarding the correction of respondents' clerical errors for the final results was enunciated in AFBs I, 56 FR at 31741, where we stated that a correction is warranted where the Department is "able to assess from information already on the record that an error has been made and that the new information is accurate." The "new information" referred to in AFBs I is not new factual information, but information clarifying data already on the record. In this case, there is no pre-existing information on the record that indicates that respondent made a clerical error. Therefore, we have not made the changes requested by Barden.

6. Discounts, Rebates, and Price Adjustments

As a general matter, the Department only accepts claims for discounts, rebates and price adjustments as direct adjustments to price if actual amounts are reported for each transaction. Thus, discounts, rebates, or price adjustments based on allocations are not allowable as direct adjustments to price. Allocated price adjustments have the effect of distorting individual prices by diluting the discounts or rebates received on some sales, inflating them on other sales, and attributing them to still other sales that did not actually receive any at all. Thus, they have the effect of partially averaging prices. Just as we do not normally allow respondents to report average prices, we do not allow average direct additions or subtractions to price. (Even though we usually average FMVs on a monthly basis, we require individual prices to be reported for each sale.)

Therefore, we have made direct adjustments for reported home market discounts, rebates, and price adjustments if (a) they were calculated on a transaction-specific basis and were not based on allocations, or (b) they were granted as a fixed and constant percentage of sales on all transactions for which they are reported. If these adjustments were not fixed and constant but were allocated on a customer-specific or a product-specific basis, we treated them as indirect selling expenses. We did not accept discount or rebate amounts based on allocations unless the allocations calculate the actual amounts for each individual sale. This is consistent with the policy we established in the second review. See AFBs II, 57 FR at 28400.

For U.S. price, we deducted all U.S. discounts, rebates, or price adjustments if actual amounts were reported on a transaction-specific basis. If these expenses were not reported on a transaction-specific basis, we used BIA for the adjustment and treated the adjustment as a direct deduction from USP.

Comment 1: Torrington argues that the Department should reject RHP's projected 1992 home market rebates because the Department's practice is to reject estimated rebates that have not yet been incurred. Torrington notes that in the supplemental questionnaire, the Department asked RHP to report actual rebates paid, but that RHP did not do so. RHP responds that it had no choice but to report projected rebates at the time of its questionnaire response because the rebates had not yet been paid at the time of submission; however, RHP has reported actual rebates paid in its latest computer tape.

Department's Position: At the time RHP submitted its questionnaire response, actual rebate data was not yet available. It was available by the time of verification. Therefore, we verified actual rebate data, and RHP reported actual rebates paid in the corrected computer tape submitted after verification. We have used this actual rebate data in our calculations. In general, we prefer actual data to projected data, but projected data can be acceptable if actual data is not yet available and the projected data is reasonably calculated.

Comment 2: FAG alleges that the Department's sales verification report mischaracterized FAG-Germany's early payment discounts by stating: "FAG calculated customer-specific factors for early payment discounts that allocated discounts over sales for which they were not granted." See FAG Kugelfischer Georg Schäfer KGaA Sales Verification Report, at 3 (April 27, 1992). FAG maintains that there is nothing on the record to support such a statement.

Department's Position: During verification, the Department found that:

> FAG offers discounts to certain customers for the early payment of invoices * * *. FAG explained that early payment discounts are negotiated with customers individually; however, FAG was unable to tie early payment discounts to specific invoice lines, or even to individual invoices, because FAG's accounting system doesn't keep a record of exactly which transactions were affected by early payment discounts * * *. Therefore, FAG calculated customer-specific early payment discount factors by dividing total early payment discounts actually granted to a customer by total sales to that customer.

FAG Kugelfischer Georg Schäfer KGaA Sales Verification Report, at 3 (April 27, 1992).

Regardless of whether early payment discounts were paid on all transactions, because FAG reported early payment discounts based on customer-specific allocations and not based on actual discounts granted on each transaction, we have treated these discounts as indirect selling expenses, in accordance with our policy on discounts and rebates explained above.

Comment 3: Torrington argues that the Department should not accept SKF-Italy's, SKF-Sweden's and SKF-Germany's "billing adjustment 2" as a direct expense. These adjustments are not identifiable to specific sales, and SKF had ample opportunity to comply with the Department's reporting requirements.

The SKF companies claim that billing adjustment 2 represents billing adjustments issued on a specific invoice that may contain multiple products. Therefore, it is not possible to attribute the adjustment on any basis other than the invoice value. SKF further claims that the Department verified SKF's billing adjustment 2 methodology in Germany and Italy and, because the billing adjustments are directly related to sales, the Department should have treated them as direct deductions to price. SKF argues that a respondent need not attribute each adjustment claimed to a particular sale in order to qualify for an adjustment to price. *Smith-Corona Group* v. *United States*, 713 F.2d 1568, 1580 (Fed. Cir. 1983), cert. denied, 465 U.S. 1022 (1984). SKF contends that it is unreasonable for the Department to require product-specific reporting of billing adjustment 2 if SKF's accounting records make it impossible to report. SKF's invoice-specific reporting is consistent with the manner in which it actually issues the credit and debit memos, and the allocation methodology does not distort the analysis. Therefore, SKF argues that the Department should accept the allocation of billing adjustments 2 as reported.

Department's Position: SKF's billing adjustments 2 are corrections in price due to billing errors, and we generally allow such corrections as direct adjustments to price. However, because SKF cannot attribute the adjustments to particular sales, SKF has allocated the adjustments over the entire invoice value, which may contain multiple sales. Because they are not reported on a transaction-specific basis and are allocated over groups of sales on a customer-specific basis, we have treated them as indirect selling expenses.

Comment 4: Torrington argues that the Department should not accept SKF-Germany's and SKF-France's home market cash discounts or SKF-Sweden's third country cash discounts because they are not reported on a transaction-specific basis. In addition, Torrington notes that SKF-France's home market cash discounts are not reported on a customer-specific basis. Torrington asserts that the Department should be consistent with the agency practice articulated in the prior administrative review and disallow the cash discount or, in the alternative, treat SKF-Germany's and SKF-Sweden's cash discounts as indirect expenses.

The SKF companies argue that the Department has accepted reasonable allocations of direct price adjustments if limitations of their normal business records prevent a more specific allocation of cash discounts. In these cases, the SKF accounting systems did not allow for these cash discounts to be reported on a transaction-specific basis. Arguing that allocations have been accepted in the past, SKF refers to AFBs II, 57 FR 28360, where allocated NMB billing adjustments were treated as direct expenses and allocated SNR-France rebates were treated as indirect expenses. SKF-France contends that the Department should treat its home market cash discounts as direct expenses or, alternatively, treat SKF-France's home market discounts as indirect expenses.

Department's Position: We have disallowed SKF-France's cash discounts because they were not reported on a transaction-, customer-, or product-specific basis. We have treated SKF-Germany's and SKF-Sweden's cash discounts as indirect selling expenses because they were allocated on a customer-specific basis and actual amounts were not reported on a transaction-specific basis.

Comment 5: Torrington argues that, because CRS has not reported cash discounts on its U.S. sales on a sales-specific basis, the Department should follow past practice and use as BIA the highest discount rate offered by SKF-USA in their terms of sales for all CRS sales.

SKF argues that the Department should accept the cash discounts as reported by CRS and not resort to BIA. SKF contends that, because CRS's records do not permit SKF to associate cash discounts with individual transactions and because all of CRS's customers are eligible for the same percentage cash discount, allocating total discounts paid on all sales eligible to receive a discount is a reasonable and accurate allocation methodology.

Department's Position: Because the cash discount was not paid on all CRS sales in the United States, SKF's allocation has not captured the actual amount of discount granted on each sale for which SKF reported a discount. As a result, SKF has diluted the discount percentage on the sales that actually

received the discount. Therefore, as BIA, we have applied the highest cash discount rate offered by CRS on all CRS sales.

Comment 6: Torrington argues that the Department should be consistent with the prior review and disallow two SKF-Italy companies' home market cash discount claims because these discounts are not reported on a transaction-specific basis or even a customer-specific basis.

SKF-Italy argues that the Department should treat the home market cash discounts, which are actually underpayments from customers, as direct adjustments to price. SKF's accounting system did not allow for these cash discounts to be reported on a sale- or customer-specific basis. SKF-Italy claims that, just because it is impossible to tie a price adjustment to specific sales or specific customers, the adjustment does not lose its "direct" character. SKF-Italy cites the treatment of NMB price adjustments in AFBs II, 57 FR 28360.

Department's Position: We agree with Torrington. Because this adjustment was not reported on a transaction-specific or on a customer- or product-specific basis, we have disallowed it. *See* the discussion of our price adjustment methodology above.

Comment 7: Torrington claims that FAG-Germany and FAG-Italy have apparently not reported all U.S. rebates paid or credited on 1992 sales. If this data is not reported, the Department should use, as BIA, the highest U.S. rebate amount paid during the POR. In addition, Torrington claims that the Department should reject FAG's projected 1992 home market rebates because they are based on the assumption that 1992 rebates will be the same as 1991 rebates. Torrington contends that a downturn in sales and an operating loss in the first half of 1992 cast doubt on the validity of the assumption that customers invariably met 1992 rebate goals. Furthermore, Torrington claims that FAG had ample time to submit actual 1992 rebate information and, because FAG failed to do so, the Department should reject the submitted information, as was done in Final Determination of Sales at Less Than Fair Value; Certain Iron Construction Castings from Canada, 55 FR 460 (1990).

FAG-Germany and FAG-Italy argue that they estimated with reasonable precision the actual home market and U.S. rebate amounts paid in 1992. As an example, FAG claims that when a customer's rebate percentage changed from 1991 to 1992, the reported 1992 rebate reflected the change. Furthermore, when eligibility was discontinued for 1992, no rebate was reported for 1992 sales. With respect to rebates not reported, FAG-Germany claims that on rare occasions, FAG and a customer may come to an agreement that past sales merit some type of rebate or compensation, which FAG refers to as "speculative" eligibility. FAG states that any compensation will ordinarily be in the form of reduced net prices on future sales. FAG argues that home market rebates are reasonably projected in the same manner as U.S. rebates.

Department's Position: We agree with FAG. We find that FAG's 1992 U.S. and home market rebates have been reasonably projected. See Comment 1, above. Furthermore, actual rebate data was not yet available. Therefore, consistent with AFBs II, 57 FR 28360, we have accepted FAG's rebates as reported.

Comment 8: Torrington argues that the Department should reject the home market rebates claimed by NPBS because they were not fixed at the time of sale and because they were calculated on the basis of monthly sales totals, which may include non-covered merchandise.

Emerson and NPBS contend that Torrington's allegations regarding NPBS's home market rebates are incorrect. Emerson and NPBS claim that the Department reviewed NPBS's rebate plan in detail at verification, where NPBS demonstrated that the terms and conditions of the rebate program were known by all customers throughout the POR.

Department's Position: We agree with Emerson and NPBS. Home market rebates are acceptable as a direct expense if they were granted as a fixed and constant percentage of sales price on all transactions for which they are reported. As established at verification, the non-OEM rebates were known at the time of sale. Therefore, we have treated them as a direct expense. OEM rebates were set to zero in the final results as a result of information gathered at verification.

Comment 9: Torrington argues that Nachi's allocation for home market Rebates 3, 5, 6, and 7 includes out-of-scope merchandise. Because the CIT held in *The Torrington Company* v. *United States (Torrington),* 818 F. Supp. 1563 (CIT 1993) that the Department should not adjust foreign market value for expenses that may relate, even in part, to out-of-scope merchandise, Torrington contends that the Department should disallow these rebates for these final results. Torrington also maintains that because Nachi did not explain how Rebate 4 was calculated, this rebate should be denied.

Nachi argues, citing its questionnaire response, that its rebates were reported on a customer-specific basis for eligible merchandise only. Nachi notes that the Department verified Nachi's rebate calculations and found no discrepancies at verification.

Department's Position: We disagree with Torrington that Nachi's calculations for Rebates 3, 5, 6, and 7 include out-of-scope merchandise. However, we reclassified these rebates as indirect selling expenses because they were based on customer-specific allocations, not actual expenses, and were not granted as fixed and constant percentages.

We also disagree with Torrington with respect to Rebate 4. Nachi's questionnaire response explains how Rebate 4 was calculated, and we verified the accuracy of the information. Rebate 4 was calculated on an actual, transaction-specific basis and, therefore, we accepted it as a direct adjustment to FMV.

Comment 10: Torrington and Federal-Mogul argue that the Department should not allow NSK's early payment discount as a direct adjustment to home market price. According to Torrington and Federal-Mogul, NSK's reporting of early payment discounts on a customer-specific basis not only fails to link the discounts to specific sales, but also raises the possibility that the claimed discounts include those granted on merchandise outside the scope of these reviews. Therefore, Torrington and Federal-Mogul assert that the Department should, at a minimum, treat NSK's early payment discounts as indirect selling expenses.

NSK replies that it cannot link specific early payment discounts to specific transactions because it grants the discounts based on its customers' payments of monthly invoices. NSK also argues that it excluded discounts paid on non-subject merchandise in calculating its early payment discounts, in accordance with the requirements set forth by the CIT in Torrington, 818 F. Supp. 1563. Specifically, NSK states that it determined the amount of a customer's early payment discounts attributable to subject merchandise using a customer-specific ratio of sales of subject merchandise to total sales. As a result, NSK requests that the Department continue to treat its early payment discounts as direct adjustments to price.

Department's Position: We only accept home market discounts as direct adjustments to price if actual discounts are reported for each sale, as explained

above. Therefore, we have treated NSK's home market early payment discounts as indirect selling expenses.

Comment 11: Torrington argues that the Department should consider NSK's home market post-sale price adjustments and lump-sum rebates to be indirect selling expenses rather than direct adjustments to price because such adjustments and rebates are not reported on a sale-specific basis.

NSK contends that it reported its post-sale price adjustments on a customer- and product-specific basis and, therefore, the Department should treat these adjustments as direct deductions to FMV.

Department's Position: Because NSK's lump-sum rebates and post-sale price adjustments are reported on a product- and customer-specific basis, but not on a transaction specific basis, we have treated them as an indirect expense.

Comment 12: Torrington argues that Koyo's reported home market post-sale price adjustments should not be accepted for the final results, or at a minimum should be treated as indirect selling expenses. Torrington claims that Koyo's methodology for reporting these adjustments substantially deviates from the questionnaire instructions. Torrington notes that rather than reporting invoice and product-specific price adjustments, Koyo calculated a customer-specific post-sale price adjustment factor that included non-scope merchandise. Torrington cites *The Torrington Company* v. *United States*, Slip Op. 93–44 at 39 (CIT March 29, 1993) in support of its argument that respondents must exclude all non-scope merchandise from its calculations of post-sale price adjustments and rebates. Torrington also notes that many of Koyo's post-sale price adjustments represent a significant proportion of unit prices. Torrington argues that the magnitude of these adjustments is anomalous compared with post-sale price adjustments on other Koyo sales during the period and should be rejected absent further explanation. Torrington also contends that a number of discrepancies discovered at verification illustrate the potential for manipulation of the dumping margins. Torrington asserts that the verification team discovered that Koyo (1) failed to report post-sale price adjustments, which resulted in higher unit prices and (2) selectively reported a non-sample month sale in which a post-sale price adjustment was entered in the sample month. Finally, Torrington argues that post-sale price adjustments granted to customers on a case-by-case basis should be reported as rebates, not as billing adjustments.

Koyo notes that the CIT decision cited by Torrington proposes an alternative reporting methodology whereby billing adjustments on scope merchandise can be calculated by identifying the ratio of scope sales to total sales and applying that ratio to total billing adjustments. Koyo asserts that since the CIT decision was not issued until March 29, 1993, the Department should either reopen the record to allow respondents to submit the ratios of scope to total sales, or refuse to accede to the CIT decision and continue to apply the methodology used in previous reviews. In either case, Koyo argues that the Department should reject Torrington's argument that the adjustment should be denied. Koyo also argues that post-sale price adjustments granted to customers on a case-by-case basis should not be reported as rebates since these price adjustments are not based on any pre-arranged agreement with its customers. Koyo argues that exceptionally large post-sale price adjustments are the exception rather than the rule, and account for less than one percent of Koyo's reported home market sales. Finally, Koyo argues that the verification did not identify any manipulation of the home market database; rather it illustrated one of the difficulties in reporting a sampled database, and confirmed the accuracy of the post-sale price adjustment reporting methodology.

Department's Position: We agree with Torrington in part. Koyo reported home market post-sale price adjustments based on customer-specific allocations and not based on the actual price adjustments made for each transaction. Therefore, we have treated Koyo's post-sale price adjustments as indirect selling expenses, in accordance with our policy explained above.

Comment 13: Torrington argues that, because the reporting methodology employed by Koyo to calculate its home market rebate adjustment includes rebates granted for both subject and non-subject merchandise, the Department should deny the rebate adjustment or at a minimum classify it as an indirect selling expense. Torrington cites *The Torrington Company* v. *United States*, Slip Op. 93–44 at 39 (March 29, 1993) in support of its argument.

Koyo notes that the CIT decision cited by Torrington proposes an alternative reporting methodology whereby rebates on scope merchandise can be calculated by identifying the ratio of scope sales to total sales and applying that ratio to total rebates. Koyo asserts that since the CIT decision was not issued until March 29, 1993, the Department should either reopen the record to allow respondents to submit the ratios of scope to total sales, or refuse to accede to the CIT decision and continue to apply the methodology used in previous reviews. In either case, Koyo argues that the Department should reject Torrington's argument that the adjustment should be denied.

Department's Position: Koyo granted rebates as a fixed and constant percentage of home market price on all sales to specific customers. Because we have actual rebate information on the subject merchandise, the issue of whether rebates were also granted on non-scope merchandise is irrelevant. Therefore, we have accepted Koyo's rebates as a direct adjustment to home market price, in accordance with our policy on discounts and rebates explained above.

Comment 14: Torrington argues that Koyo should be required to report its adjustments to U.S. price on a transaction-specific basis. Torrington asserts that the Department should disregard Koyo's claim that, due to its bookkeeping practices, it is unable to report transaction-specific information. According to Torrington, Koyo has had enough time since the first review to adjust its bookkeeping practices in accordance with the reporting requirements of this proceeding. Torrington argues that the Department should assume as BIA that Koyo's customers received the highest discounts offered. In addition, Torrington argues that the Department should disallow the adjustments for credit that increase U.S. price. Torrington asserts that this adjustment is inappropriate due to the fact that it may relate to a sale in a previous period, or to the sale of merchandise outside the scope of the review.

Koyo argues that the Department has accepted Koyo's reporting methodology in past reviews, and has not been put on notice by the Department that a different accounting system should be adopted. Therefore, the Department should continue to accept Koyo's reporting methodology. Koyo also notes that the Department has accepted in the past review credit balances that increase U.S. price.

Department's Position: We agree with Torrington in part. We required U.S. discounts to be reported on an actual, transaction-specific basis, as explained above, because any allocation of discounts would dilute the discounts actually received on particular sales. Therefore, as BIA for early payment discounts (Discount 1), we have applied the highest early payment discount rate offered by Koyo on all of Koyo's U.S. sales receiving this discount. As BIA for

Koyo's sales and freight allowance discount (Discount 2), we have applied to all U.S. sales receiving this discount the highest customer-specific discount factor reported by Koyo. However, we have accepted Koyo's billing adjustments because Koyo reported them on an invoice- and product-specific basis. We have also accepted Koyo's U.S. rebates because they were incurred as a fixed percentage of sales price on all sales for which they were reported, and were reported on a customer-specific basis.

7. Families, Model Match, Difmer

Comment 1: Torrington contends that the Department's determination of the parameters of such or similar merchandise under section 771(16) of the Tariff Act is impermissibly narrow. Specifically, Torrington maintains that the limitation of such or similar merchandise to bearings that belong to the same bearing family is improper because of the Department's requirement that bearings must share certain physical characteristics (e.g., precision grades) in order to be considered members of the same family.

Torrington notes that the statute prefers sales over CV as the basis for FMV and argues that the Department did not accord this preference sufficient weight because it immediately resorted to constructed value for observations for which no model or family match could be made. Torrington states that the statutory preference for price-based comparisons is justified because: (1) Costs are more susceptible to manipulation than prices, and (2) price comparisons are more directly relevant to the issue of international price discrimination, which is the primary concern of the antidumping duty law.

Torrington cites section 771(16)(C) in support of its contention that a product that is not a member of the same bearing family as the subject merchandise should still be considered similar and, therefore, used as the basis of comparison before resorting to constructed value if it: (1) Is within the same general class or kind; (2) is like the subject merchandise in the purposes for which used; and (3) may reasonably be compared to the subject merchandise.

Torrington argues that the Department has construed the phrase "such or similar" broadly in past investigations and administrative reviews to allow comparison of merchandise with substantially different physical dimensions. Torrington cites Tapered Roller Bearings from Japan; Final Determination of Sales at Less Than Fair Value, 52 FR 30700, 30702–03 (1987), *aff'd, NTN Bearing Corp. of America* v. *United States*, 14 CIT 623, 632–34, 747 F. Supp. 726, 735–737 (1990), as particularly relevant to the current AFB reviews. Torrington recommends that the Department use either the single deviation methodology or the sum of the deviations methodology, both of which have been employed in the Japanese tapered roller bearing (TRB) reviews, to determine the most similar merchandise in the current AFB reviews. Under these methodologies, different-sized bearings could be considered similar and therefore used to make price-to-price comparisons.

Torrington suggests that this approach is in accordance with the catalogs of certain respondents, wherein bearings of slightly different physical dimensions are grouped together. Torrington states that the use of this approach would not result in the comparison of models with large cost variances, since a 20-percent difference in merchandise (difmer) cap would still be used in these reviews. The difmer cap prohibits the use of potentially similar merchandise as FMV when the difference in merchandise (measured as the difference in variable manufacturing costs) between the U.S. model and the potentially similar merchandise exceeds 20-percent of the total manufacturing costs of the U.S. model.

Torrington also argues that because the family approach has been used in past reviews, respondents have had time to structure their prices to take advantage of this approach and undermine the purpose of the antidumping duty orders.

For these reasons, Torrington argues that the limitation of "similar merchandise" to bearing families is an abuse of the discretion granted to the Department by the statute. Torrington has submitted sample SAS programs, which Torrington states employ a TRB-style methodology with respect to the models produced by certain respondents and which result in more price-to-price comparisons than the AFB methodology. See, e.g., Torrington Pub. Pre-Prelim. Deter. Cmnts. on FAG at Pub. Exh. 3 (March 22, 1993).

Federal-Mogul supports Torrington's argument that the Department's definition of "similar merchandise" in these reviews is unduly narrow, and further notes that the fact that domestic producers approved of the "family" approach in previous reviews should not prevent the modification of this approach if it has proven to be ineffective. Federal-Mogul states that this approach is particularly flawed with respect to matching subject merchandise produced by Meter. Federal-Mogul contends that certain merchandise sold by Meter in the United States is identical to merchandise sold in Italy except for slight differences in bearing width. Yet, according to the Department's family approach, these bearings cannot be compared.

Several respondents agree that there is a statutory preference for price-to-price as opposed to price-to-CV comparisons, but state that the statute vests the Department with the authority to determine whether the home market merchandise and subject merchandise may reasonably be compared. Koyo contends that the statutory preference for price-to-price comparisons does not mean that all possible sales comparisons are preferred to the use of constructed value as a matter of law. Koyo maintains that the Department's model match methodology for the current AFB reviews, in particular the family concept on which the methodology is based, is a reasonable exercise of the Department's discretion because it considers the commercial realities of the AFB market, in particular the extensive variety of models in the market and the fact that families of similar bearings do exist. GMN argues that the statutory preference for price-based comparisons is not absolute, as demonstrated by cases where the Department has resorted directly to CV when sales are below cost.

Koyo further argues that the Department's definition of family is sufficiently broad by noting that although all bearings classified in the same family share certain characteristics (e.g., precision grade), they do not have to be identical across the board to be within the same family, and may have differences such as raw materials composition and the presence or absence of shields and seals.

In response to Torrington's statement that the Department should use the TRB model match methodology, SKF and Koyo note that the TRB reviews involve far fewer models than the AFB reviews and suggest that the TRB models differ from AFB models in certain fundamental physical characteristics and in the manner in which those characteristics vary from one model to another. SKF further states that a different model match approach for AFBs is justified because the technical criteria examined by the Department for tapered roller bearings (e.g., the "Y factor") are not the same as those for AFBs. SKF argues that Torrington's identification of products that would allegedly qualify as similar using the Department's TRB methodology, but not the AFB methodology, is incomplete because Torrington does not analyze

how many of these products would pass the 20-percent difmer test used in the preliminary margin calculations for AFBs. SKF further notes that Torrington did not employ a below cost of production test in its identification of observations where the Department resorted to constructed value in the model match, and states that SKF's catalog does not provide support for the TRB approach suggested by Torrington. GMN states that scope determinations made by the Department, particularly with respect to needle and cylindrical roller bearings, demonstrate that information contained in company catalogs is not dispositive to determinations made by the Department.

Several respondents contend that the model match issue is well settled and that all parties have already had sufficient opportunity to air their views on this issue. Respondents state that the issues regarding the model match methodology have been heard on several previous occasions and that the Department has refused to accept the methodology proposed by Torrington; accordingly, the Department should not change its methodology absent compelling circumstances. SKF argues that Torrington explicitly assented to the Department's family matching methodology during the Department's solicitation of pre-review comments prior to the first reviews.

Department's Position: Consistent with the final results of the first reviews (AFBs I, 56 FR at 31714–15) and second reviews (AFBs II, 57 FR at 28364–66), we determine to use the family approach in the current reviews as an appropriate method of determining such or similar merchandise. Pursuant to sections 773(a)(1) and 771(16) of the Tariff Act, our model match methodology first attempts to match a bearing sold in the United States with identical bearings sold in the home market. If we fail to find an identical bearing, we then attempt to match a bearing sold in the United States with "similar" bearings, i.e., bearings within the same "family," sold in the home market. If we fail to find a similar match, we will match a bearing sold in the United States with its constructed value pursuant to section 773(a)(2) of the Tariff Act. Therefore, our resort to constructed value as FMV when identical or similar merchandise is not available for comparison purposes is consistent with the statute.

As both petitioners and respondents recognize, the Department has the authority to determine what merchandise qualifies as such or similar for the purposes of the statute. *United Engineering & Forging* v. *United States*, 779 F. Supp. 1375, 1380–82 (CIT 1991); *NTN Bearing Corp.* v. *United States* (*NTN Bearing*), 747 F. Supp. 726, 735–36 (CIT 1990); *Kerr-McGee Chem. Corp.* v. *United States*, 741 F. Supp. 947, 951–52 (CIT 1990); *Monsanto Co.* v. *United States*, 698 F. Supp. 275, 277–278 (CIT 1988); *Timken Co.* v. *United States* (*Timken I*), 630 F. Supp. 1327, 1338 (CIT 1986). Moreover, the Department has a statutory responsibility to determine what merchandise produced in the home market is the most similar to models sold in the United States. *NTN Bearing*, 747 F. Supp. at 735–36; *Timken I*, 630 F. Supp. at 1337–38. Accordingly, the statute requires a methodology that identifies matches of reasonably similar merchandise and prevents matches of dissimilar models.

In the context of the current AFB reviews, the family model match approach constitutes an appropriate use of discretion. Contrary to petitioner's claim that the family approach limits similar bearings to nearly identical merchandise, distinctly different bearings may be classified within the same family. For example, bearings classified in the same family may have the same physical dimensions, but their material composition might differ substantially. For this reason, we have applied the 20-percent difmer test. The selection of certain criteria to define similar merchandise, to the exclusion of other considerations, is an appropriate exercise of administrative discretion. *Timken I*, 630 F. Supp. at 1338; *United Engineering & Forging*, 779 F. Supp. at 1381; *NTN Bearing*, 747 F. Supp. at 736.

Given the above facts, petitioners' argument—that all possible sales comparisons are necessarily preferred to the use of constructed value as a matter of law—is flawed. Section 773(a)(2) of the Tariff Act specifically provides that when neither identical merchandise nor similar merchandise is available for comparison, the Department may resort to constructed value as FMV. The goal in establishing a model match methodology is not simply to set up a method that yields the greatest number of matches between U.S. and home market models; the goal, rather, is to set up a method that identifies matches of reasonably "similar" merchandise, but that distinguishes and prevents matches of dissimilar models. The statute clearly permits the use of constructed value where the Department determines that models in the two markets cannot be considered "similar" merchandise whose comparison is acceptable under the antidumping statute.

Petitioner's argument that we should apply the model match methodology developed in *TRBs from Japan* in these AFBs reviews is also unconvincing. A model matching methodology is developed for particular products on a case-by-case basis. Therefore, the methodology used in another proceeding or review is not necessarily the proper one for the subject merchandise in these reviews. The family approach used in the current reviews was specifically designed to take into account the salient characteristics of the AFB market, particularly the large number of individual bearing models that are offered for sale and the fact that many models may be traced to a core family because they share the following eight characteristics: load direction, bearing design, number of rows of rolling elements, precision rating, dynamic load rating, outside diameter, inside diameter, and width/height.

The SAS programs submitted by Torrington in support of its contention that a TRB-style approach, according to Torrington, would result in more price-to-price comparisons do not indicate that our family approach is unreasonable. We are not persuaded that Torrington's method would in fact result in more price-to-price comparisons because Torrington's method ignores the fact that home market sales may be an inadequate basis for comparison for reasons other than the lack of a family match; for instance, home market sales are disqualified if they fail either the cost test or the 20-percent difmer test. Furthermore, as explained above, the goal in selecting a model match methodology is not to find the greatest number of matches per se, but to find the greatest number of matches of reasonably similar merchandise.

When the family approach was developed, all parties, including Torrington, agreed that it was reasonable not to conduct any ranging of the criteria that would allow bearings with differences in the above eight characteristics to be considered members of the same family. The concern was that ranging the criteria would force comparisons of models with greatly varying costs. Given the fact that the AFB market is comprised of literally thousands of different bearing models, it is appropriate for the Department to require that bearings share these eight characteristics in order to effect our statutory mandate to determine when a reasonable comparison can be made. For these reasons we disagree with Federal-Mogul's contention that the family approach is particularly flawed with

respect to matching subject merchandise produced by Meter.

The history of the AFB proceedings to date demonstrates that all parties, including Torrington, have had numerous occasions to air their views on this issue. We solicited comments from interested parties in devising the family approach for the first AFB reviews, at which time Torrington stated that this proposition was basically unobjectionable. The specific characteristics of the AFB market—thousands of models sold, many of which are grouped around the same family—are as true of the current reviews as they were when Torrington voiced its approval of the family approach. The parties have had several other opportunities to comment on this issue and the Department has carefully weighed the considerations raised in determining that the family approach represents a reasonable model match methodology with respect to the AFB market.

This methodology was developed in the interest of maintaining a stable and predictable approach to the antidumping duty margin calculations for the subject merchandise. Torrington has not provided substantive evidence to support its assertion that the fact that the family approach was used in past reviews will allow respondents to restructure their prices to take advantage of its use in subsequent reviews. Although we will continue to consider the appropriateness of our matching criteria, we will alter the criteria we have consistently applied only when compelling reasons exist. See Final Determination of Sales at Less Than Fair Value; Certain Residential Door Locks and Parts Thereof from Taiwan, 54 FR 53153, 53157 (Dec. 27, 1989).

Comment 2: Federal-Mogul and Koyo contend that the Department's practice of using constructed value as the FMV for each model that is sold below the cost of production in over 90 percent of home market sales of that model over an extended period of time, without first attempting to use the price of a "similar" model as FMV, is contrary to the statutory preference for price-based FMVs over CV-based FMVs. Federal-Mogul states that under section 773(a) of the Tariff Act, CV may not be used unless FMV cannot be based upon the prices of sales of such or similar merchandise. Federal-Mogul suggests that the use of CV in this instance, before exhausting all possible family matches (similar merchandise), is due to a programming error.

INA states that this issue is not a programming error but is instead a policy decision that was commented upon by interested parties and decided during the second reviews.

Department's Position: We disagree with Federal-Mogul's and Koyo's contention that the statute and regulations express a preference for price-to-price comparisons such that, in the event that a "matched" home market model forms an inadequate FMV because of extensive below-cost sales, the Department should calculate FMV based on the prices of the next most similar merchandise before resorting to CV.

We first note that this issue arises only in situations where *all* home market sales of a model are disregarded due to the below-cost test. Under our current methodology, we disregard all home market sales of a model from our analysis and immediately resort to CV if more than 90 percent of the sales of that model were made below cost over an extended period of time, and are not at prices that permit recovery of all costs within a reasonable period of time in the normal course of trade. See section 773(b) of the Tariff Act. If between 10 and 90 percent of the sales meet these requirements, we disregard only the specific below-cost sales from our analysis and use the remaining above-cost sales as a basis of determining FMV for that model. If over 90 percent of the sales were at prices above cost, we do not disregard any below-cost sales.

Section 773(a) of the Tariff Act expresses a preference for using the price of such or similar merchandise as the FMV before resorting to CV. However, section 773(b) directs the Department to immediately resort to CV if no sales of the merchandise that is the basis of the price-based comparison are adequate as FMV under the cost test:

> Whenever sales are disregarded by virtue of having been made at less than the cost of production and the remaining sales, made at not less than the cost of production, are determined to be inadequate as a basis for the determination of foreign market value under subsection (a) of this section, the administering authority shall employ the constructed value of the merchandise to determine its foreign market value.

Section 773(b).

Accordingly, since the statute explicitly provides for the use of constructed value as FMV when there are no sales of a given model that form an adequate basis for comparison (*i.e.*, when over 90 percent of home market sales of the model were sold below cost over an extended period of time, and are not at prices that permit recovery of all costs within a reasonable period of time in the normal course of trade), we have followed the statutory mandate of resorting to constructed value in this situation. See Final Determination of Sales at Less Than Fair Value: Ferrosilicon from Venezuela, 58 FR 27522, 27534 (May 10, 1993); Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe from the Republic of Korea, 57 FR 42942, 42947–48 (September 17, 1992); and AFBs II, 57 FR at 28373. Contrary to Federal-Mogul's and Koyo's contentions, therefore, the statute does not require the exhaustion of all possible family matches (similar merchandise) before resorting to CV.

This practice does not conflict with other provisions in the statute. In order to determine FMV under section 773(a), the Department must first select the most similar merchandise. Section 771(16) of the Tariff Act defines such or similar merchandise and provides a hierarchy of preferences for determining which merchandise sold in the foreign market is most similar to the merchandise sold in the United States. Section 771(16) also expresses a preference for the use of identical over similar merchandise, stating categorically that such or similar merchandise is the merchandise that falls into the first hierarchical category in which comparisons can be made. Although we conduct the below-cost test before attempting to match U.S. and home market merchandise, models that were sold below-cost in over 90 percent of home market sales are not disregarded on below-cost grounds until after the most similar model match is found under section 771(16).

Section 771(16) requires us to descend through successive levels of the hierarchy until sales of such or similar merchandise are found. However, it does not condition the determination of such or similar merchandise on any basis other than the similarity of the merchandise. In particular, section 771(16) directs the Department only to "the first of the following categories * * *" and not to the next category when the first match is below cost. If this were not the case, the cost test would inappropriately become part of the basis for determining what constitutes such or similar merchandise, which is clearly not the purpose of the cost test. Therefore, because section 771(16) specifies that the determination of such or similar merchandise depends solely on the similarity of the merchandise and not on whether the most similar model is sold above cost, our resort to CV, after finding the most similar model and then determining that it is sold below cost in over 90 percent of home market sales, does not conflict with this provision.

Accordingly, we followed our current practice and based FMV on CV when below-cost sales eliminate a comparison with the most similar home market model.

Comment 3: Koyo, NMB Pelmec, and NTN argue that the Department should use the variable cost of manufacturing (VCOM) of U.S. models, rather than the total cost of manufacturing, as the denominator for the 20-difmer test. Koyo argues that since the numerator of the formula is the absolute difference between the VCOM of the home market and the U.S. model, the denominator should consist of the VCOM of the U.S. model, not the total COM. NMB argues that only variable manufacturing costs should be considered in calculating the difmer, since 19 CFR 353.57 limits the difmer adjustment to differences in the physical characteristics of the merchandise. NTN argues that the use of total COM in the denominator is an arbitrary shift in policy that fails to represent the goal of the family match methodology, which is to use the family as the FMV only when the costs of the family are reasonably close to the costs of the U.S. model.

Koyo also argues that the Department should not compare the variable manufacturing costs of the U.S. model to the weighted-average variable manufacturing costs of the bearing family. Instead, the Department should conduct the difmer test on each home market model that comprises the bearing family in order to ensure that no home market models that are dissimilar to U.S. models in terms of commercial value are treated as similar merchandise for purposes of the model match.

Torrington disagrees with respondents concerning the proper denominator for the difmer test, stating that a recent ITA policy bulletin supports the use of total manufacturing costs as the denominator, and that neither the statute nor the regulations limit the difmer test to variable manufacturing costs.

Department's Position: We disagree with respondents. The total COM is an appropriate point of reference for the 20-percent difmer test. We are measuring the physical differences in merchandise, for which we make an adjustment pursuant to 19 CFR 353.57. Since differences in VCOM are primarily attributable to physical differences in merchandise, it is appropriate to use VCOM in the numerator.

The purpose of choosing the total COM as the point of reference is to provide a stable benchmark against which the absolute size of the physical difference in merchandise can be compared in order to determine if the difference is so large that the two products being compared cannot be considered similar for the purposes of the model match. We are not using the price of the U.S. model as this benchmark because the price of the model may be distorted if the model is sold at less than foreign market value in the United States. Total COM is preferable to VCOM as a point of reference because it more closely approximates the value of the model.

We also reject Koyo's proposal that we conduct a difmer test on each home market model that comprises the bearing family. The difmer test is only necessary when "similar" merchandise is used in determining FMV. In these reviews, we define similar merchandise as the bearing family to which the relevant model sold in the United States belongs. Since it is the weighted-average price of the bearing family that is being used as FMV in the case of "similar" matches, and not the price of any of the individual bearings that comprise the bearing family, the appropriate difmer test is a comparison of the VCOM of the model sold in the U.S. with the weighted-average VCOM of the bearing family.

Comment 4: Torrington and Koyo allege that the computer program the Department used to calculate Koyo's preliminary results contains a clerical error that results in the failure to make any family matches.

Department's Position: We agree that for the preliminary results we committed a clerical error that resulted in the failure to use any families as FMVs for Koyo's preliminary results. We have corrected this error for the final results.

Comment 5: Federal-Mogul and SNR-France assert that the Department committed a clerical error regarding SNR's preliminary results, which resulted in the use of models that failed the cost test (greater than 90 percent of sales below cost) in determining FMVs.

Department's Position: We agree that for the preliminary results we committed a clerical error that resulted in the use of models that failed the cost test in determining FMVs. We have corrected this error for the final results.

8. Further Manufacturing

Comment 1: NSK contends that the Tariff Act only authorizes a further manufacturing analysis where a process of manufacturing or assembly is performed on the imported merchandise in the United States. See 19 U.S.C. at 1677a(e)(3). NSK claims that many of the parts imported by NSK are applied to a completed bearing and are not subject to a process of further manufacturing or assembly.

Torrington, also citing 19 U.S.C. at 1677a(e)(3), argues that the Department should continue to apply its further manufacturing analysis to NSK's imported parts.

Department's Position: We agree with petitioner. Because the addition of a part to an otherwise finished bearing constitutes a process of assembly, we have adjusted ESP sales by the amount of value added according to 19 U.S.C. at 1677a(e)(3).

Comment 2: NSK argues that the Department erroneously included in U.S. further manufacturing costs those costs that NSK incurred for repacking finished products in the United States. According to NSK, its reported further manufacturing costs already include packing costs. Therefore, for the final results, NSK requests that the Department eliminate the adjustment to further manufacturing costs for U.S. repacking expenses.

Torrington responds that the Department should reject NSK's argument because there is no evidence in the record that NSK's reported further manufacturing costs contain packing costs. Torrington concludes that the Department should continue to add U.S. repacking to NSK's further manufacturing costs for the final results.

Department's Position: We agree with Torrington. The Department's further manufacturing questionnaire informs respondents that they should not report packing expenses because the Department will rely on the packing expense data reported in respondents' U.S. sales response. Although NSK claims that packing expenses incurred in the United States for further manufactured products are reported in its further manufacturing calculations, we are unable to confirm that this is the case. Because we instructed NSK to rely on previously reported packing data for purposes of our further manufacturing calculations, and because we cannot confirm NSK's claim that packing expenses are already included in further manufacturing costs, we have not made an adjustment to the further manufacturing that NSK reported in its U.S. sales response in our further manufacturing calculations for these final results.

9. Level of Trade

Comment 1: NTN-Japan argues that the Department has no basis for its decision not to recognize aftermarket customers as constituting a distinct level of trade. According to NTN, the Department's decision was based on a flawed analysis because it focused only

on differences between weighted-average selling prices. NTN asserts that the Department should have taken into account such other factors as differences in the frequency and volume of sales, terms of sale, and terms of payment, which together demonstrate the existence of more than two levels of trade. NTN further asserts that the Department failed to articulate any standard by which it determined that the calculated difference between average aftermarket and distributor prices was insufficient to warrant consideration of sales to aftermarket customers as being made at a distinct level of trade. As a result of these flaws in the Department's analysis, NTN argues that the Department should accept the three levels of trade reported by NTN.

Torrington responds that NTN's level-of-trade classifications are not supported by substantial evidence and are inconsistent with the requirements of the Department's questionnaire. Based on these objections, Torrington states that the Department reasonably determined that the difference between average aftermarket and distributor prices was insufficient to warrant consideration of aftermarket customers as comprising a separate level of trade. Torrington adds, however, that the Department's comparison of weighted-average prices is not particularly meaningful because it does not provide any corroboration for NTN's identification of the level of trade of its customers.

Department's Position: We agree with NTN. We initially base our level-of-trade classifications on the function of the class of customer reported by respondents. Those classifications may be rebutted by such other factors as differences in prices and selling expenses that discredit a respondent's distinctions. See Import Administration Policy Bulletin 92/1, July 29, 1992. Because our preliminary level of trade analysis did not focus on the function of the customer category, we concur with NTN that we improperly combined distributor and aftermarket sales. Further, we note that Torrington failed to provide any evidence to rebut NTN's claim that aftermarket sales constituted a distinct level of trade. Because we have no information to suggest that NTN's aftermarket customers perform the same function as either original equipment manufacturers or distributors, or that the prices and selling expenses for sales to aftermarket customers do not differ from those to other customer categories, we conclude that NTN's sales to aftermarket customers constitute a distinct level of trade. Therefore, we have compared aftermarket sales in the United States first to aftermarket sales of such or similar merchandise in the home market.

Comment 2: NSK argues that the Department failed to include certain transactions in its level-of-trade analysis of home market sales. According to NSK, although the Department correctly conducted its level-of-trade analysis on the basis of the end use of the merchandise, the Department did not use in its analysis all the aftermarket codes reported by NSK. As a result, NSK asserts that the Department not only excluded home market sales to original equipment manufacturers for aftermarket use from its level-of-trade analysis, it incorrectly included all home market sales to original equipment manufacturers in the same level of trade as in its calculation of the preliminary dumping margins. To correct this error, NSK advises the Department to include the additional aftermarket codes in the computer program used to conduct the level-of-trade analysis, and to revise the level-of-trade designation of certain home market sales to original equipment manufacturers in the computer program used to calculate NSK's dumping margins.

Torrington responds that the Department's examination of end use in conducting its level of trade analysis represents a significant departure from Departmental practice. Torrington argues that the Department previously has rejected NSK's classification of home market levels of trade on the basis of end use, and that the end use of an "aftermarket" bearing sold to an original equipment manufacturer is presumably the same as the end use of other bearings purchased by that customer. Torrington further argues that comparisons of weighted-average prices are not useful in determining levels of trade. As a result, Torrington opposes NSK's arguments, and requests that the Department return to its practice of determining levels of trade on the basis of customer category.

Department's Position: We agree with Torrington. As stated in our response to Comment 1 above, we focus on the customer's function in the chain of distribution in classifying sales according to level of trade. We do not consider the end use of products sold by the respondent's customer to be particularly meaningful in determining levels of trade. NSK has not presented any evidence that original equipment manufacturers perform different functions or that distributors perform different functions depending upon the end use of the bearings they purchase, or that NSK's selling expenses differ according to the end use of the products by the customer. Therefore, for these final results, we have based our level-of-trade classifications not on NSK's aftermarket codes, but on the customer categories reported by NSK.

Comment 3: NTN argues that the Department should compare U.S. and home market sales at the same level of trade. According to NTN, comparing sales across different levels of trade distorts the calculation of dumping margins because prices differ significantly for each level of trade. NTN further argues that if the Department decides to compare sales across levels of trade for the final results, then the Department should alleviate the distortions caused by such comparisons by making a level-of-trade adjustment based on differences in prices or, alternatively, differences in indirect selling expenses for each level of trade, as set forth by NTN in its questionnaire responses.

In opposing NTN's arguments, Torrington states that the CIT has consistently upheld the Department's comparison of sales across levels of trade. Torrington and Federal-Mogul oppose NTN's claim for a level-of-trade adjustment. According to Federal-Mogul, NTN failed to demonstrate that any differences in selling prices are due to differences in the level of trade. Further, Torrington and Federal-Mogul challenge the methods that NTN used in its attempts to quantify a level-of-trade adjustment. Specifically, Federal-Mogul contends that, in the absence of any evidence that price differentials are due to differences in levels of trade, quantification of a level-of-trade adjustment on the basis of differences in selling prices is inappropriate. Moreover, Torrington and Federal-Mogul reject NTN's use of indirect selling expenses as the basis for a level-of-trade adjustment, because NTN's method of allocating these expenses to different levels of trade is unreasonable, unreliable and because such expenses, which do not vary for individual sales, do not reflect differences in levels of trade. As a result, Torrington and Federal-Mogul conclude that the Department should not make a level-of-trade adjustment for the final results.

Department's Position: We agree with Torrington and Federal-Mogul. The Department is required by 19 CFR 353.58 to compare merchandise at different levels of trade if sales at the same commercial level of trade do not permit an adequate comparison. Import Administration Policy Bulletin 92/1, July 29, 1992. Accordingly, when we

were unable to compare NTN's U.S. sales to home market sales of such or similar merchandise at the same level of trade, we attempted to find sales of such or similar merchandise at the next most similar level of trade.

We also reject NTN's argument that we must make an adjustment for differences in levels of trade if we compare sales at different levels of trade. In order for the Department to make a level-of-trade adjustment, respondents must quantify any price differentials that are directly attributable to differences in levels of trade. Although NTN contends that the Department can make a level of trade adjustment on the basis of price differences, NTN has failed to demonstrate what portion, if any, of those price differences is attributable to differences in levels of trade. NTN's request for a level-of-trade adjustment using indirect selling expenses is similarly flawed, because NTN's allocation of a common pool of fixed expenses to different levels of trade using relative sales value demonstrates that these expenses do not vary according to levels of trade. Because NTN has failed to quantify adequately a level-of-trade adjustment, we have not adjusted FMV for differences in levels of trade.

Comment 4: Torrington argues that the Department should use BIA in determining the appropriate level-of-trade comparison for INA's home market sales to government customers. According to Torrington, INA failed to respond to the Department's request for additional information regarding such sales. Therefore, Torrington concludes that the Department should presume, as BIA, that INA's home market sales to government customers should be compared with U.S. sales to original equipment manufacturers.

INA responds that it provided a narrative explanation of the nature of its home market sales to government customers. INA also states that it did not have any basis for determining whether such sales should be compared to U.S. sales to original equipment manufacturers or distributors, and, therefore, deferred to the Department's judgment in selecting the appropriate level-of-trade comparison. Although INA did not recommend a level-of-trade comparison for the home market sales in question, INA argues that it provided the information required for Torrington to make reasoned arguments and for the Department to determine the appropriate level-of-trade comparisons. Thus, INA contends that the Department should not apply BIA, but should determine level of trade comparisons based on the criteria that it deems to be appropriate.

Department's Position: In the absence of any evidence to the contrary, we determine that government customers in the home market function as end users rather than as distributors. Because original equipment manufacturers also function as end users, we have compared INA's home market sales to government customers with U.S. sales to original equipment manufacturers.

10. Packing and Movement

Comment 1: Torrington contends that adjustments to foreign market value for both pre- and post-sale movement charges are contrary to the purpose of the antidumping statute. Torrington argues that the statute mandates that the Department make adjustments based on differences in circumstance of sale that are directly related to the sales in question. FMV can be adjusted for indirect selling expenses to the extent that these expenses do not exceed the amount of the ESP cap. Torrington states that the pre-sale movement charges claimed by respondents in this review were not directly related to the sale of bearings in the home market and that, "by their very nature, home market pre-sale expenses for movement from factory (or distribution center) cannot be directly linked to sales of the merchandise under investigation, as the statute requires." Moreover, while the statute and regulations require that ESP be reduced by the amount of expenses incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, there is no parallel provision on the FMV side. Torrington cites *Silver Reed America, Inc.* v. *United States* (Silver Reed), 581 F.Supp. 1290, 23 (CIT 1984), for support of its claim that the expenses incurred in two markets were distinct. Torrington concludes by noting that in the previous review, the Department stated that the adjustment for pre-sale inland freight was necessary to ensure an "apples-to-apples" comparison. While this may be true, Torrington asserts that "similar" expenses must be deducted from both sides of the equation, because there is no basis for performing such an adjustment if the amounts claimed in the two markets are not similar.

FAG, GMN, Koyo, Nachi, NSK, SKF, and RHP contend that the Department's practice of deducting pre-sale inland freight in the home market, regardless of whether pre-sale inland freight was incurred for the U.S. market, confirms established practice, has recently been upheld by the CIT in *Ad Hoc Committee of AZ-NM-TX-FL Producers of Gray Portland Cement* v. *United States (Ad Hoc Committee)*, 787 F. Supp. 208, 211–213 (CIT 1992), and is consistent with the language and purpose of the antidumping law. Koyo argues that the antidumping law does not preclude pre-sale freight adjustments in the calculation of FMV. In fact, according to Koyo, the circumstance-of-sale provision clearly authorizes the Department to adjust the home market for pre-sale inland freight. Respondents note that the CIT in *Ad Hoc Committee* supported the Department's methodology of deducting pre-sale inland freight in order to effect a fair comparison of the ex-factory prices in the United States and the home market.

Department's Position: We agree with respondents. In keeping with the Department's practice in previous reviews, we have determined that pre-sale inland freight should be treated as a movement expense and deducted from foreign market value in order to achieve a fair comparison of the U.S. and home market ex-factory prices. See Final Determination of Sales at Less Than Fair Value; Gray Portland Cement and Clinker from Mexico, 55 FR 29244, (July 18, 1990) and AFBs I, 56 FR at 31692. Because we do not treat pre-sale and post-sale movement expenses differently in calculating an ex-factory U.S. price, we must treat these expenses in a similar manner in the home market to ensure an accurate and meaningful price-to-price comparison. See *Ad Hoc Committee* at 213. Because merchandise in each market may be handled differently and thus incur different freight expenses, the deduction of pre-sale inland freight in either the home market or the U.S. market is not contingent on whether pre-sale inland freight occurred in the other market.

Comment 2: IJK alleges that the Department double-counted packing expenses when calculating constructed value. IJK states that it included home market packing expenses in the reported general and administrative expenses that the Department used to calculate constructed value. However, for the preliminary results, the Department added U.S. packing to the constructed value without deducting home market packing expenses.

Department's Position: We agree. For these final results we removed home market packing expenses included in the calculation of constructed value before adding U.S. packing expenses. We also made any necessary adjustments to profit.

Comment 3: Federal-Mogul argues that NPBS incorrectly reported as indirect selling expenses certain expenses associated with repacking its

merchandise by its affiliates in the United States. Accordingly, NPBS has understated total U.S. packing expenses and overstated the cap on ESP offset adjustments to FMV. Federal-Mogul also notes that the Department rejected similar treatment of U.S. repacking expenses by NSK in the second administrative review of AFBs.

Department's Position: We agree with Federal-Mogul. For the final results we have estimated NPBS' U.S. repacking expenses on the basis of NPBS' reported indirect selling expenses. Accordingly, we have reduced NPBS' claimed indirect selling expenses by the amount of U.S. repacking expenses.

Comment 4: Federal-Mogul argues that NPBS incorrectly reported freight-out as an indirect selling expense, as opposed to an individual movement expense. Federal-Mogul asserts that the Department, after isolating the amount of freight-out, must deduct it from United States price.

Department's Position: We agree with Federal-Mogul. For the final results we have isolated NPBS' freight-out expense and treated it as a movement expense. Accordingly, we have reduced NPBS' claimed indirect selling expense by the amount of freight-out.

Comment 5: Federal-Mogul argues that the Department erroneously treated NSK's air freight expenses for U.S. sales as direct selling expenses. According to Federal-Mogul, such expenses are clearly related to the movement of the merchandise and, therefore, should be deducted from USP in all instances. Federal-Mogul notes, however, that the Department's treatment of these expenses as direct selling expenses precludes the appropriate deductions from USP in certain instances. Because NSK's air freight charges are movement expenses, Federal-Mogul requests that the Department revise its computer program to deduct these charges from USP for all U.S. sales.

Department's Position: We agree with Federal-Mogul and have revised our calculations accordingly for these final results.

Comment 6: Federal-Mogul argues that NSK failed to report freight expenses for certain U.S. sales. According to Federal-Mogul, NSK did not report freight charges for U.S. sales whose terms of sale NSK identified as "other." Federal-Mogul states that NSK's failure to report such charges for these sales is inaccurate because the terms of sale encompassed by the "other" category may include arrangements in which NSK bore the cost of shipping the merchandise to the customer. Accordingly, Federal-Mogul urges the Department to use as BIA the highest reported U.S. freight expense for any U.S. sale to represent freight charges for U.S. sales whose terms of sale NSK reported as "other."

NSK responds that in preparing its questionnaire response, it allocated all of its expenses for shipping merchandise to U.S. customers. In doing so, it chose to allocate the expenses to sales whose terms of sale were either "prepaid" or "ship with," because NSK always bears the freight costs for sales made pursuant to these terms. Although NSK acknowledges that there may have been instances in which it bore freight costs for sales made pursuant to "other" terms of sales, it argues that this would be the case only on rare occasions in which NSK sales personnel delivered merchandise in the course of routine sales calls. In these instances, any expenses incurred for delivery would already be captured in NSK's indirect selling expenses. Thus, NSK argues that the Department should neither resort to BIA nor reallocate NSK's reported U.S. freight expenses for these final results.

Department's Position: We agree with NSK. For the overwhelming majority of its sales, NSK paid for transportation of merchandise to the customer. Because NSK does not routinely deliver merchandise to customers when terms of sale are reported as "other," and because NSK accounts for expenses incurred in those instances when it does, we have not revised NSK's reported expenses for U.S. freight out to customers for these final results.

Comment 7: Federal-Mogul argues that the Department should reallocate certain of NSK's home market inland freight expenses. According to Federal-Mogul, the Department found at verification that certain expenses NSK claimed to be incurred exclusively for home market sales actually pertained to all NSK sales. The Department failed in its preliminary calculations, however, to reallocate these expenses pursuant to its verification findings. Based on the verification findings, Federal-Mogul requests that the Department reallocate the home market freight expenses in question for these final results.

NSK responds that the Department properly declined to reallocate the expenses in question because they comprised a de minimis portion of NSK's total freight expenses. Because the Department frequently declines to make adjustments that have insignificant effects on its calculations, NSK asserts that the Department should not reallocate the expenses in question for these final results.

Department's Position: We agree with NSK. Although we found at verification that NSK failed to allocate certain inland freight charges to export sales, the expenses in question are minuscule and would have a de minimis effect on our calculations. Therefore, we have not reallocated the expenses in question.

Comment 8: INA claims that the Department failed to eliminate warehouse-to-unrelated-customer inland freight for U.S. sales to OEMs. INA states that it reallocated the subject freight expense to distributors only, in accordance with the Department's instruction. INA argues that since the revised factor allocates the total amount of warehouse-to-unrelated-customer inland freight expense to distributor sales only, the failure to eliminate the original warehouse-to-unrelated-customer inland freight expense with respect to OEM sales results in double-counting of the expense.

Torrington argues that, unless all sales to OEMs were ex-warehouse, freight for each sale must be reported and made the subject of appropriate adjustments. Petitioner states that the exclusive allocation of the aggregate freight expense to sales to distributors results in the overstatement of dumping to distributors while dumping to OEMs is understated.

Department's Position: Because the record indicates that INA did not incur warehouse-to-unrelated-customer inland freight on sales to OEMs, we agree with INA that such expense should be eliminated from the calculation of U.S. price for sales to OEMs. Accordingly, for purposes of calculating the final results, we have set warehouse-to-unrelated-customer inland freight equal to zero for sales to OEMs.

Comment 9: Torrington asserts that the Department should not deduct inland freight from home market unit price in calculating foreign market value for the final results. Petitioner claims that INA disregarded the Department's instruction to reallocate domestic inland freight using the elements which reflect the manner in which the expense was incurred. Accordingly, Torrington argues that such an adjustment should be substituted for the reported inland freight amount. Petitioner cites Final Determination of Sales at Less Than Fair Value; Certain Small Business Telephone Systems and Subassemblies Thereof from Korea, 54 FR 53141 (December 27, 1989) to support its contention.

INA argues that it did not disregard the Department's instructions to reallocate domestic inland freight, but that sales value provided the only consistent and verifiable basis available for allocating domestic inland freight expense. Respondent further notes that

the Department found this methodology to be acceptable in prior reviews, in the AFB investigation, and in other cases, such as Tapered Roller Bearings, Finished and Unfinished, and Parts Thereof, From Japan, 56 FR 41508, 41512 (August 21, 1991).

Department's Position: While we prefer allocations of freight costs based on volume, weight, distance, or a combination of these, to allocations based on sales value, we can accept such allocations if they constitute a reasonable alternative methodology. We note that INA did not disregard our instructions, but was unable to provide the preferred domestic inland freight allocation. From the evidence on the record, we have no basis to conclude that this is an unreasonable allocation methodology. Torrington does not provide evidence showing that this allocation methodology is distortive. See AFBs I, 56 FR at 31715.

Comment 10: Federal-Mogul contends that INA's repacking costs should be deducted from USP. INA disagrees and states that the correct adjustment is the addition of U.S. repacking costs to home market price and the deduction of home market packing from home market price. INA cites Koyo Seiko Co., Ltd. v. United States, 810 F.Supp. 1287, 1291–2 (CIT 1993) to support its argument.

Department's Position: We agree with Federal-Mogul that INA's repacking costs should be deducted from U.S. price. Contrary to respondent's assertion, such a deduction is in accordance with Department practice. *Comment 2* of the U.S. Price Methodology section *infra* explains why this is in keeping with our policy. In the preliminary results, we correctly deducted home market packing expenses from the home market price and added U.S. packing expenses incurred in the home market to home market price. However, we erroneously failed to deduct the repacking costs from U.S. price. Accordingly, we have corrected this error for the calculation of the final results.

Comment 11: Citing the Department's analysis memorandum for INA's preliminary results, Federal-Mogul contends that the Department employed the incorrect factor in calculating U.S. inland freight from port to warehouse. INA disagrees and states that the analysis memo rather than the margin program is in error.

Department's Position: We agree with INA that we misstated the factor for the calculation of U.S. inland freight from port to warehouse only in our analysis memorandum for INA's preliminary results. Therefore, the margin program requires no revision.

Comment 12: Torrington argues that the Department should not deduct from FMV certain movement expenses that NMB/Pelmec Thai reported for its "route B" sales in the home market. According to Torrington, NMB/Pelmec must incur "extraordinary expenses" for these sales because the merchandise is exported to Singapore and then re-exported to Thailand. Because NMB/Pelmec makes "route B" sales under "extraordinary circumstances" in order to avoid the Thai government's quantity restriction on domestic sales, Torrington asserts that the Department should not deduct from FMV any movement expenses that NMB/Pelmec Thai incurs after the merchandise leaves Thailand.

Department's Position: We disagree with Torrington. As we stated in our response to Torrington's comment regarding the classification of "route B" sales, we believe that NMB/Pelmec Thai makes these sales in the normal course of its business. In determining whether to accept movement charges, we do not analyze whether they are incurred as a result of "extraordinary circumstances"; we accept or disallow movement expenses based on whether they were incurred and the reasonableness of the information reported to us. Because we have determined that NMB/Pelmec Thai incurs these expenses for movement of the merchandise sold through this "route B," we have deducted all reported movement expenses from NMB/Pelmec Thai's "route B" sales for these final results.

Comment 13: SNECMA-France and SNECMA-Italy argue that the Department should not deduct U.S. Customs duties from USP because SNECMA did not incur expenses for U.S. Customs duties during the POR. Customs duties were paid by SNECMA's unrelated importer of record.

Department's Position: We agree. For these final results, the Department recalculated adjusted USP without deducting U.S. Customs duties.

11. Related Parties

Comment 1: NTN contests the basis for the Department's preliminary decision to disregard NTN's home market sales to related parties. According to NTN, the Department excluded related party sales from its analysis without having first articulated any standard for determining whether sales prices to related parties were comparable to sales prices to unrelated parties. NTN argues that the Department should take into account the manner in which related parties conducted their business transactions, the level of trade at which NTN made sales to related parties, payment terms, and sales quantities in determining whether to exclude related party transactions from its analysis.

Torrington and Federal-Mogul reject NTN's argument that the Department should examine factors other than price on the grounds that the Department's regulations identify price as the only factor to be used in determining the comparability of sales prices to related and unrelated parties. Torrington and Federal-Mogul further argue that the Department's regulations place the burden upon respondents to establish the comparability of sales prices to related and unrelated parties. Because NTN made no attempt to demonstrate such comparability, Torrington and Federal-Mogul conclude that the Department should continue to disregard home market sales to related parties.

Department's Position: We agree with NTN. We acknowledge that differences in level of trade, and the terms of sale or terms of payment may affect the comparability of sales prices to related and unrelated parties. Therefore, we have revised our arm's-length test to account for different levels of trade and have accounted for differences in terms of sale and circumstances of sale by deducting movement charges and direct selling expenses from the prices used in our arm's-length test. However, we did not have any information that would allow us to specifically account for differences in sales quantities in our arm's-length test, except to the extent that different levels of trade reflect any differences in sales quantities.

We disagree with Torrington's and Federal-Mogul's arguments that the regulations preclude the Department from considering factors other than prices in assessing the validity of prices to related parties. Although 19 CFR 353.45 does not mention such factors as level of trade and terms of sale, the regulation clearly is intended to prevent comparisons to below-market prices resulting from the relationship between the buyer and seller. If factors other than customer relationship, such as level of trade or terms of sale, account for the price differences, then our arm's-length test would achieve a skewed result if we did not account for these other factors.

Finally, although we agree with Torrington and Federal-Mogul that respondents have the responsibility to demonstrate that sales prices to related parties are comparable to sales prices to unrelated parties, it has been our longstanding practice to conduct an arm's-length test independently to determine whether prices to related parties in foreign markets are equal to or

higher than prices to unrelated parties in those markets.

Although we revised our arm's-length test to account for certain factors highlighted by NTN, we found nonetheless that NTN's prices to related parties were, for the vast majority of home market sales, lower than those to unrelated parties. Therefore, we have excluded NTN's home market sales to related parties from our analysis for these final results.

Comment 2: SNR-France contests the basis for the Department's preliminary decision to disregard SNR's home market sales to related parties. Specifically, SNR argues that the Department has not demonstrated that price differentials are the result of customer relationships, and that the Department should take into account the possibility that differences in sales quantities may create price differentials. According to SNR, its sales to related parties typically involve much larger quantities than its sales to unrelated parties. In support of its argument, SNR asserts that a computer analysis similar to that used by the Department in its price stability analysis indicates the existence of a correlation between sales prices and quantities, and the absence of any correlation between sales prices and customer relationship. Therefore, SNR concludes that the Department should not disregard SNR's home market sales to related parties for the final results.

Federal-Mogul rejects SNR's argument on the grounds that SNR made no attempt to establish the comparability of sales prices to related and unrelated parties, despite the fact that the Department's regulations place this burden upon respondents. Federal-Mogul also argues that SNR has not attempted to demonstrate that sales prices are not affected by SNR's relationship to its customers, and that SNR's analysis of price comparability ignores such other determining factors as payment terms and discounts that may vary because of the nature of SNR's relationship with its customers. As a result, Federal-Mogul concludes that the Department should not use in its final analysis SNR's home market sales to related parties.

Department's Position: We agree in part with SNR. We have revised our price comparability analysis to account for factors other than customer relationship that may affect the results of the analysis. As we stated in our response to the previous comment, we have revised our arm's-length test to account for differences in levels of trade, terms of payment, and circumstances of sale. Moreover, by conducting our arm's-length test according to levels of trade, we have accounted for quantity differences to the extent that, as SNR notes in its case brief, its sales quantities vary according to levels of trade. Based on our revised arm's-length test, we determine that, on average, SNR's sales prices to related parties are lower than its prices to unrelated parties. Therefore, we have excluded SNR's sales to related parties in the home market from our final analysis.

Comment 3: Torrington notes that the Department excluded Koyo's home market sales to related parties from its preliminary analysis because the Department's arm's-length test indicated that Koyo's prices to related parties were lower than its prices to unrelated parties. Torrington requests that the Department use the same approach to Koyo's related party sales for these final results.

Department's Position: While we have conducted an arm's-length test of Koyo's home market sales to related parties, we have revised our arm's-length test, as discussed above. Based on the results of this test, we have continued to exclude BB sales to related parties from our analysis of Koyo's home market sales to related parties for these final results, but not CRB sales to related parties.

Comment 4: RHP and NSK-Europe argue that the Department should not have collapsed the two companies and imposed BIA on RHP's sales of NSK-Europe products in the United States. RHP and NSK-Europe assert that the Department does not collapse related entities "except in certain relatively unusual situations, where the type and degree of relationship is so significant that [the Department] find[s] there is a strong possibility of price manipulation." AFB LTFV Investigation, 54 FR 19089. In addition, RHP and NSK-Europe state that the Department does not collapse related entities with separate manufacturing facilities, sales operations, and pricing policies. Final Determination of Sales at Less Than Fair Value; Hot Rolled Carbon Steel Plate and Sheet from Brazil, 49 FR 3102, 3104 (January 25, 1984); Cellular Mobile Telephones and Subassemblies from Japan, 55 FR 29394, 29396 (July 19, 1990).

Citing the Department's verification report, RHP and NSK-Europe contend that RHP purchased product from NSK-Europe solely through arm's-length transactions and that the two companies have maintained a competitive, arm's-length relationship since before the two companies became affiliated. Furthermore, RHP and NSK-Europe argue that they are separately run entities with independent facilities, operations, and pricing structures and that they do not share significant marketing information or strategies. NSK-Europe states that the two companies exercise no controlling ownership interest in each other. It also argues that the fact that RHP and NSK-Europe combined their automotive product sales process in a limited way should not affect the Department's analysis because each company invoiced their customers directly and independently. NSK-Europe also contends that Torrington's argument that RHP and NSK-Europe have rationalized their production operations is irrelevant because the alleged rationalization occurred years before the two companies became related.

With regard to NSK-Japan, the parent of both RHP and NSK-Europe, RHP asserts that it has no directors in common with NSK-Japan and does not share bank accounts, manufacturing, distribution, or sales facilities with NSK-Japan. In sum, RHP claims to have remained autonomous under NSK-Japan's ownership. NSK-Europe contends that a parent's percentage ownership of a subsidiary does not, in and of itself, determine whether the Department should collapse related entities. NSK-Europe further contends that NSK-Japan exercises no control over NSK-Europe's or RHP's sales and marketing practices vis-a-vis each other, and only minimal operational control over production decisions. Moreover, NSK-Europe argues that despite the fact that NSK-Europe and RHP share board members with NSK-Japan, NSK-Japan does not direct the day-to-day operations of either company. NSK-Europe cites Final Determination of Sales at Less Than Fair Value; Coated Groundwood Paper from Finland, 56 FR 56363, 56369 (November 4, 1991), as an example of a case where the Department did not collapse related companies that shared board members.

Finally, RHP and NSK-Europe argue that their participation in the European Research Center ("ERC") is not relevant because the ERC is a separate corporate entity and because the ERC became operational only two months before the end of the POR. Furthermore, during those two months, the ERC had no effect on the manufacturing or sales operations of the two companies. RHP concludes that its relationship with NSK-Europe is not so unusual a situation that it would require the collapsing of the two companies. Therefore, RHP believes that BIA should not be imposed on RHP sales of merchandise produced by NSK-Europe.

Torrington and Federal-Mogul argue that the Department properly collapsed

RHP and NSK-Europe. Torrington refers to Final Determination of Sales at Less Than Fair Value; Certain Granite Products from Italy, 53 FR 27189 (July 19, 1988) and to Final Determination of Sales at Less Than Fair Value; Gray Portland Cement and Clinker from Mexico, 55 FR 29246–47 (July 18, 1990) as examples where the Department collapsed related companies when the companies' relationships were intertwined, they conducted transactions between them, and they shared certain facilities. Torrington argues that the facts in this case are comparable, as demonstrated by NSK-Japan's annual reports and by the Department's verification reports. Torrington asserts that there is extensive collaboration among all members of the NSK-group and quotes from NSK-Japan's 1991 Annual Report, at 8: "[NSK has established a] tripartite global sales, marketing, and manufacturing structure—Japan, including Asia and Oceania, the Americas and Europe. Each base is linked to Japan by an information network system to facilitate production, marketing, and technical cooperation"; "[NSK-Europe] and UPI [the RHP holding company] * * * are proceeding to build a new relationship to multiply production results in the United Kingdom" (Id. at 12); and "NSK-implemented marketing activities in cooperation with UPI, which joined the NSK-Group in 1990" (Id. at 16).

As additional evidence of NSK-Japan's degree of control over both RHP and NSK-Europe, Torrington notes NSK-Japan's recent decision to integrate all the sales activities of NSK-Europe and RHP in Europe. Furthermore, Torrington argues that NSK-Japan, UPI, RHP, and NSK-Europe share many board members who serve important managerial functions. Torrington cites several such board members and directors. Torrington asserts that in cases where the board members in common are involved in management or marketing functions, it is likely that there is common access to pertinent sales, marketing, and manufacturing information. Therefore, the companies should be collapsed. Torrington also argues that NSK-Europe and RHP have rationalized their production operations, as RHP no longer manufactures any of the product it purchases from NSK-Europe. Torrington states that this means that the two companies have consolidated supply and/or production operations, and should be collapsed for this reason also.

Torrington and Federal-Mogul contend that the verification reports fully support the decision to collapse. Torrington quotes the Department's findings, several of which contain business proprietary information, to argue that RHP and NSK-Europe are intertwined. In the Department's public versions of the verification reports, Torrington cites the findings that RHP has come under pressure from NSK-Japan not to reveal the nature of their corporate relationship in certain circumstances, that NSK-Japan was able to create new sales divisions and a research center by combining elements of RHP and NSK-Europe by executive decision, and that NSK-Japan influences and approves the amount of NSK-Europe's yearly retained earnings and long-term planning. Finally, Torrington argues that the very fact that NSK-Europe filed a prehearing brief solely to request relief for RHP belies its contention that the companies are separate, and shows that they have common interests. Torrington argues that NSK-Europe was fully warned that failure to provide appropriate sales and cost information would result in the use of BIA, and that the Department should not now reward NSK-Europe's conduct. Federal-Mogul cites Final Determination of Sales at Less Than Fair Value; Brass Sheet and Strip from France, 52 FR 812, 814 (January 9, 1987) as an example of a case where the Department resorted to BIA where a respondent's affiliate failed to provide sales information.

Department's Position: We agree with Torrington and Federal-Mogul. In AFBs II, 57 FR at 28393, we stated that "the Department's usual practice is to collapse related parties if the nature of their relationship allows the possibility of price and cost manipulation." In the recent Final Determinations of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products, and Certain Corrosion-Resistant Carbon Steel Flat Products from Japan (Carbon Steel from Japan), issued on June 21, 1993 and to be published shortly, the Department provided additional guidance with respect to the collapsing of related parties. In Carbon Steel from Japan, the Department stated that in addition to the degree of voting control one company may have over another and the extent of their financial relationship, "the Department uses other factors in determining whether to collapse related enterprises, which include whether: (1) The companies are closely intertwined; (2) the companies have transactions with each other; (3) the companies have similar production equipment, so that it would not be necessary to retool facilities in order to change either entity's manufacturing priorities; and (4) the entities are capable of manipulating prices or affecting production decisions, through their sales and production efforts." In Carbon Steel, the Department also stated that it "need not show all of these factors exist in order to collapse related entities, but only that the companies are sufficiently related to create the possibility of price manipulation."

Because RHP and NSK-Europe have a sister relationship rather than a parent-subsidiary relationship, we examined the relationship of the parent corporation (NSK-Japan) *vis-a-vis* its subsidiaries in assessing the capability of manipulating prices and affecting production decisions. RHP and NSK-Europe are wholly owned by the same parent. We consider this degree of ownership to be a strong indicator of NSK-Japan's potential to control NSK-Europe's and RHP's production and pricing decisions. Furthermore, the financial information of the two respondents is consolidated in NSK-Japan's financial statement. Such consolidation constitutes additional evidence that the companies are closely intertwined and have a financial relationship. See Carbon Steel from Japan.

We found evidence at verification and in NSK-Japan's 1991 Annual Report of other forms of control by NSK-Japan and of a relationship between RHP and NSK-Europe that is becoming increasingly intertwined. The Annual Report suggests that there is extensive collaboration and rationalization of research, marketing, and production between all members of the NSK group, including RHP. RHP has stopped manufacturing any of the merchandise supplied to it by NSK-Europe. During the POR, RHP and NSK-Europe made use of the same sales agents for automotive products and of the same research facility, the ERC. NSK-Japan created the ERC by transferring assets and personnel to it from both RHP and NSK-Europe. Although NSK-Japan's decision to integrate all the sales activities of NSK-Europe and RHP in Europe occurred outside the POR, it is indicative of the amount of control exercised by the parent company.

The record shows that NSK-Japan, UPI, RHP, and NSK-Europe share many board members and directors who serve important managerial functions. The sharing of board members by related companies, particularly members with management responsibilities, is evidence that the companies are closely intertwined. It also indicates the capability of NSK-Japan to manipulate prices or affect production decisions regarding the two respondents.

Furthermore, at verification, we found additional (business proprietary) evidence that NSK-Europe and RHP were intertwined.

All of the above factors demonstrate that NSK-Europe and RHP have a significant financial relationship, are closely intertwined, and that their parent company, NSK-Japan, is capable of price and cost manipulation. Thus, sufficient evidence exists for the collapsing of NSK-Europe and RHP for the purposes of calculating dumping margins in the final results of review.

Because we determined to collapse RHP and NSK-Europe in the last review, as in this review, we required all sales and pertinent cost information to be filed for RHP and NSK Europe. Except for a Section A response, no information was reported for NSK-Europe. However, RHP did provide sufficient product and summary sales information to allow us to determine by computer analysis which margins were potentially altered by the absence of NSK-Europe's home market sales and cost data. In addition, we verified NSK-Europe's Section A response and information pertinent to the relationship between the two companies. Because we are treating RHP and NSK-Europe as one entity, and because the lack of information from NSK-Europe only affects a limited number of U.S. sales, we have applied a BIA rate only to those affected U.S. sales. The BIA rate is the highest rate ever calculated for ball bearings from the U.K. (61.14 percent).

Comment 5: Barden and FAG-UK, two related respondents, contend that the Department's decision to consolidate or "collapse" them is an unwarranted and unreasonable departure from long-standing administrative precedent. They contend that the decision to treat them as a single entity is inconsistent with the decision to grant them separate treatment published in *AFBs II*, 57 FR at 28393, and the more recent decision in a letter dated September 24, 1992 to allow separate reporting for the third review of AFBs. Respondents argue that the Department requires the calculation of separate antidumping margins where it determines that the related respondents are distinct entities such that there is no substantial danger of price and cost manipulation between the two companies. They cite Residential Door Locks and Parts Thereof From Taiwan; Final Determination of Sales at Less Than Fair Value, 54 FR 53153, 53161 (December 27, 1989), Certain Iron Construction Castings From Canada; Final Results of Administrative Review, 55 FR 460 (January 5, 1990), and the AFB LTFV Investigation, 54 FR 18992 as support for this position. They also contend that evidence on the record, which has remained uncontroverted and unchanged since the second review of AFBs, supports their contention that each is a distinct entity such that there is no substantial danger of price and cost manipulation between the two companies.

Respondents state that there are only two bases upon which the collapsing of the two companies for purposes of the Department's dumping analysis could be justified: (1) Where FAG-UK exercised domination over the policies and operations of Barden, or vice versa; or (2) Where a third company exercised domination over the policies and operations of both Barden and FAG-UK. Barden and FAG-UK claim that the situation described in (1) has never existed, and there is nothing in the record to suggest such a relationship between them. Respondents further assert that a third company, namely FAG-Germany (their parent corporation), has never dominated the policies and operations of both respondents.

Respondents note that the only "new" information appearing on the record, and the only conceivable basis on which the Department could have predicated its reversal of policy, are statements made by the Department in the context of the FAG-Germany sales verification report regarding the supposed control FAG-Germany has over its subsidiaries, including FAG-UK and Barden. Respondents challenge the accuracy of several statements on this topic contained in the verification report and urge the Department to reconsider its position in light of the clarifications and corrections argued by each in their respective briefs.

In rebuttal, Torrington argues that the Department's general practice is to collapse related companies "if the nature of their relationship allows the possibility of price and cost manipulation." AFBs II, 57 FR at 28393. Citing various statements appearing in FAG-Germany's 1991 Annual Report and FAG-UK's questionnaire response, petitioner claims that the record indicates common control of FAG-UK and Barden by FAG-Germany. Among these facts are that FAG-UK and Barden share board members with each other and with FAG-Germany, their parent corporation.

Regarding respondents' challenge of statements made in the Department's FAG-Germany verification report, petitioner argues that it is too late to correct the Department's basic impressions by way of post-verification submission of facts. Torrington further claims that the fact that Barden and FAG-UK have access to FAG-Germany's proprietary verification report strongly demonstrates the close relationship between all the FAG Group companies and illustrates the potential for mutual price and cost manipulation. Accordingly, petitioner asserts that the Department should collapse FAG-UK and Barden for the final results.

Department's Position: We agree with Torrington that Barden and FAG-UK should be collapsed for purposes of this review. In accordance with the standard set forth in *Comment 4* above, we considered various factors in determining whether to collapse Barden and FAG-UK.

Because Barden and FAG-UK have a sister relationship rather than a parent-subsidiary relationship, we examined the relationship of the parent corporation (FAG-Germany) *vis-a-vis* its subsidiaries in assessing the capability of manipulating prices and costs, and affecting production decisions. FAG-UK and Barden are wholly owned by the same parent. We consider this degree of ownership to be a strong indicator of FAG-Germany's potential to control FAG-UK's and Barden's production and pricing decisions. Furthermore, the financial information of the two respondents is consolidated in FAG-Germany's financial statement. Such consolidation constitutes additional evidence that the companies are closely intertwined and have a financial relationship. See Carbon Steel from Japan, supra.

The record shows that Barden and FAG-UK share board members with each other and with FAG-Germany who serve important managerial functions. See FAG's 1991 Annual Report at 6 and 78. The sharing of board members by two related companies, particularly members with management responsibilities, is evidence that the companies are closely intertwined. It also indicates the capability of FAG-Germany to manipulate prices or affect production decisions regarding the two respondents.

We note that FAG-UK stated in its supplemental response to Section A of the questionnaire that "at times FAG-Germany may direct certain marketing and sales strategies for its European affiliates or make upper-level administrative and management decisions which pertain directly or indirectly to FAG-UK (to this end, FAG-UK's board of directors consists of FAG-UK as well as FAG-Germany personnel)." FAG-UK Supplemental Response to Sections A, B and C, p. 2, November 23, 1992. In addition, FAG-UK explains in its Section A response

that the "FAG Bearings Group is composed of an integrated network of full-line producers, exporters and importers, using a worldwide rationalized production system." FAG-UK Section A Response, p. 1, September 18, 1992. In its 1990 Annual Report, FAG KGS describes its acquisition of The Barden Corporation as one that "will produce synergies in development and distribution." FAG KGS Annual Report at 10, Exhibit A–13 of FAG-UK's Section A Response. These statements illustrate FAG-Germany's potential, if not actual, influence over the sales and production activities of its subsidiaries and support the September 18 decision to collapse FAG UK and Barden UK.

We did not collapse the respondents in the second review because FAG KGS had not acquired Barden UK until seven months into the 1990–91 review period. The consolidation, though, was fully in place for this current review. Therefore, it was during the current POR that the extent of FAG-UK's and Barden's relationship became relevant. We recognize that, when respondents were filing questionnaire responses for the third review, we allowed separate reporting by FAG-UK and Barden. We did so because the two companies indicated that their record-keeping systems were separate and not easily merged for purposes of responding to the questionnaire. However, our decision to allow separate reporting does not preclude our collapsing the two companies in calculating dumping margins.

After fully considering the information on the record in this review, including FAG KGS's percentage ownership in its U.K. subsidiaries and the fact that the parent and sister companies share common board members, we determine that a strong possibility of prices and costs or production manipulation exists between the related companies. Therefore, we are continuing to collapse FAG-UK and Barden for purposes of calculating dumping margins in the final results of review.

12. Samples, Prototypes and Sales Outside the Ordinary Course of Trade

Comment 1: Based upon the standard established in Certain Welded Carbon Steel Standard Pipes and Tubes From India; Final Results of Antidumping Duty Administrative Reviews (Indian Pipes and Tubes), 56 FR 64753 (December 12, 1991), Cellular Mobile Telephones and Subassemblies from Japan; Final Results of Antidumping Duty Administrative Review (Cellular Mobile Telephones), 57 FR 7728 (March 4, 1992), and *Murata Mfg. Co., Ltd.* v. *United States (Murata)*, Slip Op. 93–53 (CIT April 20, 1993), Federal-Mogul and Torrington claim that the relevant submissions by respondents contain insufficient evidence supporting their individual claims that their alleged home market sample and prototype sales are made outside the ordinary course of trade. This standard, according to the two parties, requires a respondent to demonstrate that samples or prototypes are not only sold in small quantities at high prices, but that the high prices are a function of the small quantities sold. Citing *Nachi-Fujikoshi Corp.* v. *United States (Nachi)*, 798 F. Supp. 716, 718 (CIT 1992), Federal-Mogul states that the respondent has the burden of proving that sales are outside the ordinary course of trade.

With regard to Koyo's sample and prototype sales, Torrington specifically argues that an analysis of Koyo's sample sales reveals that there are numerous examples of the same bearing model sold as a sample sale after that model has been sold to the same customer as a sale in the ordinary course of trade. Torrington also notes that the verification report indicates that while a prototype and a sample sale were selected for examination, Koyo was only able to provide supporting documentation for the prototype sale.

Citing AFBs II, 57 FR 28360, Tapered Roller Bearings, Finished and Unfinished, and Parts Thereof, From Japan; Final Results of Administrative Review, 56 FR 41508 (August 21, 1991), and Large Power Transformers From Japan; Final Results of Administrative Review, 51 FR 21197 (June 11, 1986), FAG-Germany and FAG-Italy argue that the Department has long held that certain sales involving substantially smaller quantities and significantly higher prices are not within the ordinary course of trade for purposes of establishing FMV. According to FAG-Germany, in AFBs II, 57 FR at 28390, the Department excluded home market sample sales from FMV where pricing details were provided for some of these sales, demonstrating that such samples were typically sold at significantly higher prices than comparable non-sample bearings. FAG-Germany states that in this review it similarly provided a listing of all sample merchandise sold in the home market during the eight sample months that compares the net resale price of the sample sale with the weight-averaged net resale price of all bearings falling within that sample's family during the eight sample months. Respondent submits that this evidence demonstrates that sample sales are almost always sold at premium prices, considerably above the average prices for identical or similar non-sample sales.

FAG-Germany also argues that petitioner's reliance on *Cellular Mobile Telephones* is misplaced. According to respondent, the Department's standard enunciated in *Cellular Mobile Telephones* applies to requests under 19 CFR 353.35 for relief on sales not sold in the usual commercial quantities, as opposed to the "ordinary course of trade" language contained in 19 U.S.C. 1677b(a)(1)(A).

FAG-Italy and the SKF Group companies argue that they reported sample and prototype sales pursuant to the Department's instructions and, therefore, the Department has the information necessary to analyze such transactions and to conclude that they are outside the ordinary course of trade.

Citing Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, 57 FR 4960 (February 11, 1992), NTN contends that the Department should exclude its sample sales from the HM database prior to calculating FMV. Respondent asserts that, at verification, the Department confirmed that NTN's reported sample sales were recorded as such in company records. NTN also argues that home market sales identified as not in the ordinary course of trade should be similarly excluded from the home market database. Respondent claims that the data and analysis it provided (which was verified) regarding such sales parallels the "extensive data and price history" provided by an exporter in the second review of AFBs that resulted in the exclusion of sales identified as not in the ordinary course of trade.

Torrington rebuts NTN's argument by noting that the mere designation of sales as samples in a respondent's records is not controlling. Petitioner also argues that NTN has not established that "small quantity" sales are outside the ordinary course of trade within the meaning of 19 U.S.C. 1677b(a)(1)(A).

NSK maintains that the evidence it has submitted regarding prototype sales is sufficient to demonstrate that such sales were made outside the ordinary course of trade and, therefore, should be excluded from the calculation of FMV.

Department's Position: 19 U.S.C. 1677b(a)(1)(A) and 19 CFR 353.46(a) provide for the exclusion from the calculation of FMV sales made outside the ordinary course of trade. In accordance with Department practice, respondents bear the burden of proving that foreign market sales were made outside the ordinary course of trade. See Murata, Slip Op. 93–53 at 8, and *Nachi*, 798 F. Supp. at 718. In these reviews,

various respondents requested that the Department designate certain foreign market sales as being outside the ordinary course of trade because the sales involved sample and prototype merchandise. The fact that a respondent has identified merchandise as being a sample or prototype, however, is insufficient to render the sales of such merchandise outside the ordinary course of trade. Therefore, we have examined whether to exclude sales of such bearings from our FMV calculations on the basis of the extent to which respondents have satisfied their burden of proof by providing specific evidence that such sales fall outside the ordinary course of trade. Our standards for evaluating this evidence are set forth below.

For the purposes of this review, we have applied the standard set forth in *Murata*, in which the CIT quoted with approval the statement in *Indian Pipes and Tubes*, 56 FR at 64755, that the Department does not rely on one factor taken in isolation but rather considers all the circumstances particular to the sales in question in determining whether they are outside the ordinary course of trade. In *Murata*, the CIT noted that, in other cases, the Department had determined that sales were outside the ordinary course of trade not only due to the presence of smaller quantities and higher prices, but also because the Department found, for example, that prices for sample sales were determined separately from standard price lists, that customers purchased products for trial or evaluation purposes, or that sales were cancelled prior to invoicing. *Murata*, Slip Op. 93–53 at 9.

Given the above guidance, we believe that the arguments advanced by Torrington, Federal-Mogul, and various respondents are overly narrow in their emphasis on smaller quantities and higher prices as being dispositive of sales made outside the ordinary course of trade. Specifically, respondent FAG-Italy is incorrect to say that the Department in other cases automatically has determined that sales involving substantially smaller quantities and significantly higher prices are outside the ordinary course of trade. In *Murata*, the CIT upheld the Department's determination that evidence of sales generally made in smaller quantities and at higher prices is insufficient to establish that sales were not made in the ordinary course of trade. *Murata*, Slip. Op. 93–53 at 8. Because evidence of smaller quantities and higher prices is insufficient to render sales outside the ordinary course of trade, Torrington's and Federal-Mogul's argument that higher prices must be a function of smaller quantities, as set forth in *Cellular Mobile Telephones*, is not dispositive. Moreover, we agree with FAG-Germany that this argument is misplaced, because it applies to the "usual commercial quantities" clause of the statute rather than to the "ordinary course of trade" clause.

Therefore, pursuant to the standard set forth in *Murata*, we have examined not only sales quantities and prices, but also the overall circumstances under which respondents made sales alleged to be outside the ordinary course of trade. In those instances in which respondents have failed to meet their burden of proof by providing insufficient evidence that sales of sample or prototype bearings fall outside the ordinary course of trade, we have included such sales in our calculations of FMV. We address the evidence provided by each respondent below.

Because Koyo was unable to provide any evidence (such as that suggested in *Murata, supra*) substantiating that a sale selected for verification was indeed a sample sale, we included all HM sales identified as samples in the calculation of FMV. However, we excluded prototype sales from the calculation of FMV because Koyo provided ample evidence regarding its prototype sales and was able to substantiate sales identified as such at verification.

We disagree with FAG-Germany that the evidence it presented in this review is comparable to the evidence provided by another respondent in *AFBs II*, 57 FR at 28394. In the second review of AFBs, the Department found that "NSK has provided ample information documenting the nature of its prototype and sample sales and has provided extensive data and price history information regarding some of its prototypes and samples." *Id.* The same cannot be said here with respect to FAG-Germany. Although respondent provided price comparison data for all of its sample and prototype sales, this data merely proves that such sales were made in smaller quantities at higher prices. Respondent has provided no information regarding the circumstances surrounding the sales alleged to be outside the ordinary course of trade. Therefore, FAG-Germany's data provides insufficient evidence in and of itself for proving that sample sales were made outside the ordinary course of trade.

We agree with Torrington that the record contains insufficient evidence supporting FAG-Italy's and the SKF Group companies' claims that home market sales identified as sample and prototype sales were made outside the ordinary course of trade. Since the claimant bears the burden of proving that such sales were made outside the ordinary course of trade, simply referring to the data contained in respondents' respective home market sales listing is insufficient evidence. The most an analysis of such data could prove is that such sales were made in smaller quantities at higher prices.

We agree with Torrington that NTN's sample sales should be included in the calculation of FMV. As stated above, the fact that respondent identified sales as sample and prototype sales does not necessarily render such sales outside the ordinary course of trade. Thus, the verification of the designation of certain sales as samples merely proves that respondent identified sales recorded as samples in its own records. Such evidence does not indicate that such sales were made outside the ordinary course of trade for purposes of calculating FMV in these reviews. Accordingly, we have included NTN's sample sales in the calculation of FMV.

We also disagree with NTN's claim that sales of products with a sporadic sales history fall outside the ordinary course of trade. Infrequent sales of small quantities of certain models is insufficient evidence to establish that sales were made outside the ordinary course of trade. Thus, because NTN failed to satisfy its burden of proof in accordance with the standard set forth above, we have not excluded sales identified by NTN as outside the ordinary course of trade from the calculation of FMV.

NSK provided detailed information on certain prototype models including quantities involved, the frequency of transactions, customer information, design specifications, applications, and dates of sale. Furthermore, at verification, we reviewed supporting documentation of a prototype sale. As established above, the Department does not rely on one factor taken in isolation but rather considers all the circumstances particular to the sales in question in determining whether HM sales were made in the ordinary course of trade. Furthermore, we do not require information on every specific bearing in order to establish the accuracy of a particular claim. *AFBs II*, 57 FR at 28394. Accordingly, based on the detailed and broad-ranging data supplied by respondent, we have excluded NSK's prototypes from the calculation of FMV.

Comment 2: The SKF Group and NSK contend that it is inappropriate for the Department to include sample or zero value sales in the calculation of U.S.

price. Citing *Ipsco Inc.* v. *United States* (*Ipsco*), 714 F. Supp. 1211, 1217 (CIT 1989) (*reversed on other grounds*, 965 F.2d 1056 (Fed. Cir. 1992)), respondents assert that the Department's policy is to exclude from the margin calculation: (1) U.S. sales that are not representative of the seller's behavior; and (2) sales that are so small that they would have an insignificant effect on the margin. NSK asserts that its prototype and sample sales are not representative of its normal U.S. sales. SKF claims that the subject sample and zero value sales are isolated incidents, as evidenced by its U.S. sales files. Additionally, NSK claims that its zero price samples should be excluded from the U.S. sales database because providing these samples does not constitute a "sale" pursuant to 19 U.S.C. 1673. Citing Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Certain Components Thereof, From Japan; Final Results of Antidumping Duty Administrative Review, 56 FR 23054, 26059 (June 6, 1991) and Tapered Roller Bearings, And Parts Thereof, Finished and Unfinished, From Japan; Final Results of Antidumping Duty Administrative Review, 57 FR 4960, 4070 (February 11, 1992), respondent contends that the Department has defined "sale" to exclude any zero price sample in which the cost of the sample is accounted for as an indirect selling expense. Because the cost of samples is accounted for in its G&A expenses, NSK claims that to include zero price samples in NSK's U.S. database results in a double-counting of the cost of zero price samples.

Torrington and Federal-Mogul argue that there is no statutory or regulatory basis for excluding any U.S. sales from review, since the statutory and regulatory language directing the Department to consider only sales in the ordinary course of trade appears only in the definition of FMV. Citing *AFBs II*, 57 FR 28360, Final Results of Antidumping Duty Administrative Review; Color Television Receivers From the Republic of Korea, 56 FR 12701 (March 27, 1991), and Brass Sheet and Strip From Canada; Final Results of Antidumping Duty Administrative Review, 55 FR 31414 (August 2, 1990), petitioner asserts that, as a matter of agency practice, the Department has consistently recognized its obligation to analyze all U.S. sales within the period of review. Petitioner also notes that all imports of merchandise subject to an antidumping duty order are subject to the imposition of antidumping duties, following administrative review. 19 U.S.C. 1673; 19 U.S.C. 1675(a)(2). Petitioner distinguishes *Ipsco* from this case by noting that that decision regards an investigation, where the Department routinely excludes certain classes of sales. Regarding NSK's argument that its sample sales are accounted for in its G&A expenses, petitioner refers to *AFBs II*, 57 FR 28360, claiming that NSK failed to demonstrate in this review that it maintains exclusive ownership of the zero-priced samples after exportation.

Department's Position: We agree with Torrington and Federal-Mogul. As set forth in *AFBs II*, 57 FR at 28395, other than for sampling, there is neither a statutory nor a regulatory basis for excluding any U.S. sales from review. The statute and the regulations require the Department to analyze all U.S. sales within the POR. Final Results of Antidumping Administrative Review; Color Television Receivers From the Republic of Korea, 56 FR 12709 (March 27, 1991). We agree with Torrington that *Ipsco* is inapplicable to this case in that it concerns a less-than-fair-value investigation in which the Department has the discretion to eliminate unusual U.S. sales, as opposed to an administrative review in which 19 U.S.C. 1675(a)(2)(A) requires analysis of "each U.S. entry" except in cases where the agency utilizes "averages or generally recognized sampling techniques" pursuant to 19 U.S.C. 1677f–1.

Regarding NSK's argument that its sample sales are accounted for in its G&A expenses, we restate our position as set forth in *AFBs II*, 57 FR at 28395. Goods entered for consumption are subject to an antidumping order whenever ownership transfers from the exporter of the goods to an unrelated U.S. purchaser. *Id.* Sample sales, however, fall outside the scope of the review when the respondent can demonstrate that no transfer of ownership has occurred between the exporter and the unrelated U.S. purchaser. *Id.* Nothing on the record in this review demonstrates that NSK maintains exclusive ownership of the subject merchandise after exportation to the United States. Accordingly, we have included all zero price and sample sales for the final margin calculation.

13. Taxes, Duties, and Drawback

Comment 1: FAG, GMN, Koyo, Nachi, NSK, RHP, and SNR contend that the Department's value added tax (VAT) methodology is improper because the VAT rate was applied to different net price bases, thus generating, in some instances, dumping margins where no pre-tax margin would otherwise exist. Respondents propose that the Department calculate an actual or absolute VAT amount for each HM sale and apply this amount to USP as a last step after all other adjustments have been made. This methodology, unlike that employed by the Department in the preliminary results, serves to cap the addition to USP at the amount of the absolute HM tax, and therefore avoids the multiplier effect whereby pre-tax dumping margins are inflated. Furthermore, the Courts have upheld this alternate methodology, expressing a clear preference for an amount-driven, rather than a rate-driven, adjustment to USP. *See Zenith Electronics Corp.* v. *United States* (*Zenith*), Appeals No. 92–1043, 1044, 1045, 1046 (Fed. Cir. March 19, 1993); *Federal-Mogul* v. *United States* (*Federal-Mogul*), 813 F.Supp 856 (CIT 1993). Respondents also point out that the Department recently employed this precise methodology in *Gray Portland Cement and Clinker from Mexico; Final Results of Antidumping Duty Administrative Review* (*Mexican Cement*) 58 FR 25803 (April 28, 1993).

GMN argues that, if the Department determines not to add an absolute amount based on the home market tax amount to both FMV and USP, the Department should apply the tax rate to gross unit price minus price adjustments on both sides, with a cap on the amount of VAT added to USP. GMN argues that this methodology is consistent with both *Zenith and Federal-Mogul*, and would ensure compliance with the statutory mandate limiting the U.S. adjustment "to the extent that such taxes are added to or included in the price of such or similar merchandise sold in the country of exportation."

NSK and SKF also argue that the Department need not make any adjustment for taxes forgiven because the consumption tax is not included in FMV.

Torrington maintains that the Department must add the full amount of VAT to both USP and FMV, and that the amounts must be calculated separately on the basis of the prices of the respective sales involved. Torrington contends that, under section 772(d)(1)(C) of the Tariff Act, the Department can only calculate the tax forgiven on the exported merchandise by using the prices of the exported merchandise in some form as the appropriate tax base. Torrington also argues that Congress, notwithstanding its awareness of the issue, has declined to adopt legislation changing the law to achieve the result of tax neutrality, *i.e.*, by which pre-tax dumping margins are neither inflated nor deflated by the Department's tax methodology. Torrington therefore argues that

although tax neutrality has been achieved with regard to situations in which there is no pre-tax dumping margin, the Department should not seek to achieve tax neutrality in situations in which pre-tax dumping margins do exist.

Citing *Zenith*, Federal-Mogul argues that the Department must adjust for taxes forgiven or not collected by reason of exportation. Federal-Mogul argues that the Department was correct in attempting to calculate an amount for forgiven tax using a United States tax base, but that the addition to USP should have been capped at the amount of the forgiven taxes "but only to the extent that such taxes are added to or included in the price of such or similar merchandise when sold in the country of exportation." See section 772(d)(1)(C) of the Tariff Act. Federal-Mogul also asserts that the Department should not adopt the methodology set forth in *Mexican Cement* because in that case the Department erred in adding to USP the amount of home market taxes, as opposed to the amount of taxes forgiven on the exported merchandise. Federal-Mogul asserts that, when fashioning the tax adjustment clause, Congress did not intend to obtain tax neutrality.

Department's Position: We disagree with Torrington and Federal-Mogul. On March 19, 1993, the United States Court of Appeals for the Federal Circuit, in affirming the decision in *Zenith Electronics Corp.* v. *United States*, Appeals 92–1043, –1044, –1045, –1046 (Fed. Cir. March 19, 1993), ruled that section 772(d)(1)(C) of the Tariff Act provides for an addition to USP to account for taxes that the exporting country would have assessed on the merchandise had it been sold in the home market, and that section 773(a)(4)(B) of the Tariff Act does not allow circumstance-of-sale adjustments to FMV for differences in taxes. Accordingly, we have changed our practice and will no longer calculate a hypothetical tax on the U.S. product, but will, for the time being, add to the USP the absolute amount of tax on the comparison merchandise sold in the country of exportation. By adding the amount of HM tax to USP, absolute dumping margins are not inflated or deflated by differences in taxes included in FMV and those added to USP.

In addition, we will propose a change in 19 CFR 353.2(f)(2) to provide that we will calculate weighted-average dumping margins by dividing the aggregated dumping margins, calculated as described above, by the aggregated USPs net of taxes. This change would result in weighted-average dumping margin rates that are neither inflated nor deflated on account of our methodology of accounting for taxes paid in the home market but rebated or not collected by reason of exportation. We are in the process of drafting this proposed change, and we will begin the rule-making process as soon as possible.

As is evident from the preceding description, in implementing the Court's ruling, the Department intends to make every effort to ensure that price comparisons remain undistorted. The Court clearly did not intend for tax adjustments to result in skewed comparisons, and we disagree with Torrington and Federal-Mogul's claims that Congress did not intend that our comparisons be tax-neutral. Fair comparisons are a primary statutory objective, as is consistency with U.S. international obligations. In this regard, we note that Article 2.6 of the GATT Antidumping Code, in requiring fair price comparisons, calls for allowance to be made for "differences in taxation, and for the other differences affecting price comparability."

Finally, we disagree with NSK's and SKF's argument that, because, according to them, "the consumption tax is not included in FMV," the Department should make no adjustment to USP. Respondents base their claim on the mistaken notion that, because consumption taxes are listed separately on their HM invoices, and because the actual "price" on the invoice does not include consumption taxes, the Department has not included the taxes in FMV. On the contrary, whether or not consumption taxes are listed separately on HM invoices, the fact remains that the HM consumer pays the tax. Therefore, we have appropriately included the tax in the calculation of FMV and made a corresponding adjustment to USP.

Comment 2: Torrington, Federal-Mogul, NMB/Pelmec, Koyo, and SKF argue that the Department's United States tax base is incorrect.

Department's Position: Because we are not using a United States tax base for calculation of the VAT tax "forgiven or otherwise not collected by reason of exportation of the merchandise" for the final results (see Comment 1 above), any issues concerning the appropriate United States tax base are moot.

Comment 3: NMB/Pelmec argues that the Department improperly accounted for VAT imposed on sales in Thailand but not collected on export sales. According to NMB/Pelmec, the Department failed to add a hypothetical VAT to USP, despite its statement to the contrary in the preliminary analysis memorandum and its addition of the VAT to FMV. NMB/Pelmec asserts that the Department must add an amount for VAT to USP if it adds such taxes to FMV, and requests that the Department modify its computer program accordingly for the final results.

Torrington responds that NMB/Pelmec's contention that the Department failed to add hypothetical VAT to USP is unfounded. According to Torrington, the computer program that the Department used in its preliminary analysis clearly accounts for the hypothetical VAT to be added to USP.

Department's Position: We agree with Torrington. Based on an examination of the computer program that we used to calculate the preliminary dumping margin, we confirm that we did in fact calculate a hypothetical VAT on U.S. sales and add this tax to USP. Although we have revised our method of determining the uncollected VAT on U.S. sales (*see Comment 1* above), we have continued to add an amount for VAT to USP in these final results.

14. U.S. Price Methodology

Comment 1: Torrington argues that the Department erred in not deducting resale profit from U.S. price in ESP situations. Torrington contends that the 1979 GATT Antidumping Code (the Code) was implemented as part of U.S. law by the Trade Agreements Act of 1979, and requires the Department to deduct profit earned by the exporter's U.S. subsidiary in ESP transactions.

Torrington notes that Article 2.6 of the Code states that in ESP situations, an "allowance for costs, including duties and taxes, incurred between importation and resale, and *for profits accruing* should * * * be made" in determining U.S. price (*emphasis added*). Torrington argues that, while the section of the statute concerning ESP transactions, section 772(e), is "silent" with respect to deducting resale profit, Congress intended that all of the rules of the Code would be applied to the extent that they are not in conflict with prevailing U.S. law. Because the U.S. statute is silent regarding resale profit, Torrington asserts that there is no conflict between the international agreement and U.S. law in requiring the deduction of resale profit in ESP transactions. Therefore, the Department's practice should conform to the Code, and resale profit should be deducted from U.S. price in ESP situations.

SKF, NTN, Koyo, GMN, RHP, INA, FAG and NSK disagree, arguing that the adjustment for resale profit in ESP situations has no basis in either the statute or the Department's regulations, and is not mandated by the Code. They note also that it is the Department's

longstanding practice not to deduct resale profits on ESP sales and that this practice has been upheld by the CIT in recent decisions. These decisions include *Timken Co.* v. *United States* (*Timken I*), 630 F. Supp. 1327, 1342 (CIT 1986), *Timken Co.* v. *United States* (*Timken II*), 673 F. Supp. 495, 518–21 (CIT 1987), and *Timken Co.* v. *United States* (*Timken III*), 14 CIT 753, 758 (CIT 1990).

Department's Position: We agree with respondents. The statute at section 772 (d) and (e) does not include resale profits among the detailed list of adjustments that the Department is to make to U.S. price in ESP situations. Thus, there is no provision under U.S. law under which we can make the adjustment that Torrington requests.

While Torrington asserts that the omission of resale profit from the list of adjustments suggests that the statute is "silent" with respect to resale profit, we note that the CIT has observed that the literal language of the statute "clearly does not call for the deduction of profits" in ESP situations. *Timken I*, 630 F. Supp. at 1343. Therefore, as NSK argues in its rebuttal brief, "the statute is not truly silent on this issue and by omission of the term 'profit,' has definitively spoken."

Though the Code contains a provision for deducting resale profit in such situations, this provision is merely prescriptive. We note that in *Timken III*, the CIT concluded that "whatever guidance the ITA gleans from the Code is clearly hortatory rather than mandatory." *Timken III*, 14 CIT at 758. In addition, Congress did not intend that the Code's requirement for the deduction of resale profits from ESP transactions be incorporated into U.S. antidumping law, or presumably it would have expressly provided for such deductions as it did for other adjustments. Therefore, we do not interpret the statute or the Code to require a deduction for resale profits in ESP situations.

Comment 2: NSK, FAG, SKF, GMN, SNR, INA, RHP and NTN argue that the Department should not deduct U.S. direct selling expenses from U.S. price in ESP situations, but should add such expenses to the FMV that is compared to ESP. Respondents argue that this treatment of direct selling expenses is mandated by section 773(a)(4) of the Tariff Act and is consistent with numerous decisions of the CIT, among them *NTN Bearing Corp.* v. *United States*, Slip. Op. 93–56 at 4 (CIT 1993) (*NTN Bearing Corp.*).

Torrington disagrees with respondents, but argues that if the Department should decide to add U.S. direct selling expenses to foreign market value, it should also modify its calculation of the duty deposit rate for ESP sales. Torrington argues that the change in U.S. price methodology that respondents suggest will lead to an undercollection of cash deposits. Torrington explains that under the current practice, the cash deposit rate is based on the total potential uncollected dumping duties (PUDD) divided by total U.S. price. However, if the agency eliminates the deduction of U.S. direct selling expenses, the denominator in the formula, total U.S. price, will increase. The division of PUDD by this larger number will lead to a lower cash deposit rate, which Torrington argues will result in an undercollection of cash deposits. Therefore, in lieu of dividing PUDD by total U.S. price, Torrington suggests that the Department divide by total entered value to calculate the duty deposit rate.

Department's Position: We disagree with respondents. Section 772(e)(2) of the Tariff Act requires the Department to deduct from ESP all expenses incurred in the United States, including direct selling expenses. In contrast, for purchase price transactions, adjustments for differences in circumstances of sale, including direct selling expenses, are made to the foreign market value, and no deduction of direct selling expenses is made from the purchase price. Section 773(a)(4). This difference in treatment of ESP and PP transactions is necessary for several reasons. One is to avoid a systematic distortion in the amount of duties assessed, which would result if the value on which dumping margins were calculated were consistently different than the entered value upon which U.S. Customs will apply the margin. Entered value is most commonly based on the price to the United States between the exporter and the importer. Purchase price will approximate the customs entered value without deducting any expenses because direct selling expenses are incurred in the exporting country and included in the price *to* the United States. In contrast, the basis of the exporter's sales price is the resale price *in* the United States, which can approximate entered value and be equivalent to purchase price only after all expenses incurred in the United States (including direct selling expenses) are deducted from ESP. This is not to say that either ESP or PP is necessarily the same as entered value, or that they should be the same. The Department is merely recognizing that dumping margins will ultimately be assessed on entered value and that the amount of duty collected should not be affected by whether USP is based on PP or ESP.

Another reason for the different treatment of direct selling expenses in ESP and PP transactions is that USP must be calculated in such a way that there is no bias introduced just because there is a related importer intervening between the foreign producer and the first unrelated purchaser in the United States. Whether using ESP or PP, we must calculate USP based on the price to the first unrelated U.S. buyer, just as we must calculate FMV based on the price to the first unrelated home market buyer. In order to eliminate the effect of the relationship between the exporter and the importer, direct selling expenses must be deducted from ESP.

While the CIT has decided our ESP practice is not proper in several cases, including *NTN Bearing Corp.*, we respectfully disagree, and will continue our practice of deducting U.S. direct selling expenses from ESP until the issue is decided by the Court of Appeals for the Federal Circuit.

Comment 3: Koyo argues that the Department's failure to average U.S. prices in the same manner that it averaged foreign market values was an abuse of discretion and contrary to law. Koyo notes that 19 U.S.C. 1677b(f) authorizes the Department to use averaging techniques to establish both USP and FMV when such averaging techniques yield fair and representative results. Koyo contends that the comparison of actual U.S. prices with an annually averaged FMV generates inherently unrepresentative margin calculations because the comparison is not made on an "apples-to-apples" basis. Koyo notes that the Department used weighted-average U.S. prices in Final Results of Administrative Review; Certain Fresh Cut Flowers from Mexico, 55 FR 12696, 12697 (April 5, 1990). Koyo requests that the Department use its annual average methodology for U.S. prices as well as foreign market values in order to achieve representative results as required by the antidumping law.

Torrington and Federal-Mogul disagree, stating that comparing actual U.S. prices with a weighted-average FMV is reasonable and in accordance with agency precedent and the law. Torrington's reasoning is that to average U.S. price would allow exporters "to continue dumping at targeted accounts or during particular periods, so long as customers could be found who paid prices above fair value." Torrington also maintains that the Department generally only averages U.S. prices in the case of perishable products or other

merchandise characterized by price volatility. Torrington notes that AFBs are not perishable; therefore, Koyo's citation to the *Fresh Cut Flowers from Mexico* case, a precedent with respect to perishable goods, is inapposite.

Department's Position: We disagree with Koyo's assertion that we must average U.S. prices on the same basis as FMV to ensure an "apples-to-apples" comparison. Contrary to Koyo's argument, our comparison of individual U.S. prices with weighted-average FMVs is reasonable and in accord with the statute and regulations. We generally do not average U.S. prices because the statute, at 19 U.S.C. 1675(a)(2)(B), directs us to determine a price for "each entry" of merchandise into the United States. In contrast, where home market sales prices vary, and there is no "preponderant" price for more than 80 percent of the merchandise, we calculate an FMV based on the weighted-average of those prices. 19 CFR 353.44. We do this because the use of weighted-average FMVs, whether monthly or annual, is more appropriate than the use of a single home market transaction, especially when there can be many comparable home market transactions at varying prices. In fact, in the early years of the Department's experience in administering the unfair trade laws, we did compare individual U.S. sales with a single home market sale. Respondents objected on the basis that the practice allowed the Department too much discretion to use high-priced home market sales at the expense of low-priced sales as the basis for FMV.

In addition, as stated in the *AFBs II*, 57 FR at 28369, averaging U.S. prices is unacceptable because it would allow a foreign producer to mask dumping margins by offsetting dumped prices with prices above FMV. For example, a foreign producer could sell half its merchandise in the United States at less than FMV, and the other half at more than FMV, and arrive at a zero dumping margin while still dumping.

Except in limited instances where we have conducted reviews of seasonal merchandise with very significant price fluctuations due to perishability (see, e.g., Final Results of Administrative Review; Certain Fresh Cut Flowers from Mexico, 55 FR 12696, 12697 (April 5, 1990)), we have not averaged U.S. prices. See Final Results of Antidumping Administrative Review; Pressure Sensitive Plastic Tape from Italy, 54 FR 13091 (March 30, 1989). Since the merchandise under review is not a perishable product, and our tests of home market sales revealed that there are no significant price fluctuations, there is no reason to change our current methodology.

15. Miscellaneous Issues

A. Verification

Comment 1: Torrington argues that for the SKF companies under review, the Department should have verified the cost of production and constructed value responses submitted by these firms. Torrington notes that SKF purchased steel from Ovako Steel (Ovako), its related subsidiary, for its production of bearings under review. Torrington states that Ovako's cost data had not been verified in the two immediately preceding reviews, and that Torrington's timely request for verification had shown "good cause" pursuant to section 776(b)(3)(B) of the Tariff Act. Torrington argues that "SKF has provided no details or documentation to support its assertions of Ovako's costs. Therefore, the data cannot be relied upon without thorough verification."

SKF argues that the Department acted appropriately within its discretion to forego verification of SKF's cost information and that of Ovako. SKF further argues that Ovako's cost was extensively verified in the original LTFV investigation, and that SKF-France and SKF-Germany were verified in each of the three subsequent administrative reviews. Finally, SKF argues that since the Department has repeatedly verified the accuracy and veracity of the SKF submissions, this history alone constitutes good cause to support the Department's decision not to verify the cost responses of SKF facilities in the current review.

Department's Position: We decided that cost verifications for SKF were not warranted. With respect to the cost of steel, SKF was required to provide not just Ovako's cost of production, but the transfer prices and market values of the steel inputs as well. Since SKF failed to provide this essential information, and we have accordingly resorted to BIA (see Comment 15 in the Cost of Production and Constructed Value Section, *supra*), the question of verifying this particular data is moot. In addition, since we had already verified other substantial data provided by SKF in these reviews, we decided to forego verification of Ovako's provided steel costs.

Comment 2: Torrington criticizes the Department for its failure to conduct cost verifications of FAG-Italy and RHP even though Torrington had submitted requests for verification. Torrington argues that its request to verify FAG-Italy's costs was based on good cause: that FAG-Italy changed its cost accounting systems solely for antidumping reporting and that certain costs as well as profit were inaccurately reported in FAG-Italy's response.

Torrington argues that RHP's cost response is inadequate for various reasons, including a lack of "sufficient precision" in identifying certain product costs and allocations. Torrington maintains that, while the Department verified FAG's and RHP's sales data during the previous administrative review, it has never verified their reported cost data during an administrative review. Finally, Torrington argues that the Department should either conduct a cost verification prior to issuing the final results of the review or reject FAG's cost response and apply best information available.

FAG-Italy argues that its cost accounting system is not deficient and has not been manipulated for the antidumping reviews. On the contrary, FAG-Italy asserts that its cost accounting system is essentially the same as that used to prepare the response which was verified in the original fair value investigation. FAG-Italy contends that its product costing methodology, which follows the framework used in the LTFV response, was established for official use by the company in 1991 after the LTFV investigation corroborated the usefulness of such a system. RHP maintains that it was prepared for a cost verification and was confident that there were no irregularities in its data.

Department's Position: With respect to administrative reviews, the Department is required to verify information under section 776(b) of the Tariff Act if the Secretary decides that good cause for verification exists, or if a request for verification is received from an interested party no later than 120 days after publication of notice of initiation and the Department has not conducted a verification during either of the two immediately preceding administrative reviews.

With respect to this review, we determined that there was not good cause for verifying FAG-Italy's and RHP's responses. Among our considerations was our analysis of the data submitted by FAG-Italy and RHP in the context of the review under consideration.

Comment 3: FAG-Germany requests that the Department correct and/or modify portions of the sales verification report, dated April 27, 1993, because there are incorrect or misleading statements in that report.

Torrington argues that FAG has failed to demonstrate that the Department's

verification report regarding FAG's sales information is substantially incorrect or misleading; therefore the Department should not alter its findings.

Department's Position: FAG-Germany has not demonstrated that portions of the sales verification report are incorrect or misleading; therefore, we have not amended the report.

B. Database Problems

Comment 4: RHP argues that the Department should disregard as a clerical error the reporting of certain internal stock transfer shipments in RHP's response. RHP explains that it included by mistake a group of zero-price U.S. transactions in its U.S. database that were internal stock transfers and not sales or samples. RHP states that whenever it transferred stock in its Ohio warehouse, it recorded two zero-price transactions, the first with a negative quantity reported, and the second with a positive quantity. According to RHP, these transactions were inadvertently not deleted from the computer tape submitted to the Department.

RHP contends that the administrative record clearly shows that a clerical error occurred. RHP asserts that in Appendix C of the section B response, it reported a list of all vendors to which samples (i.e., zero-price transactions) were provided during the period of review, and states that if those vendor numbers are compared with the vendor numbers for the zero-price transactions, it becomes clear that all but seven of the transactions in question are stock transfers and not sales or samples. RHP has submitted an affidavit of the President of RHP Bearings, Inc., explaining how the error occurred. RHP notes that the Department's practice is to correct obvious clerical errors that can be identified from the administrative record.

Torrington and Federal-Mogul argue that the Department should not correct RHP's data. Torrington contends that RHP's correction is untimely and that the affidavit of the President of RHP Bearings, Inc., was submitted after the deadline for submitting new information. Federal-Mogul states that RHP's allegation of a clerical error is not clear from the existing record. Federal-Mogul argues that the fact that Appendix C does not include all the vendor codes associated with the zero-price transactions only raises the possibility that Appendix C was incomplete. Finally, Torrington asserts that the revelation of this and other errors, in addition to the errors found by the Department at verification, calls into question RHP's entire response.

Department's Position: We agree with Torrington and Federal-Mogul. The Department's general practice is only to correct clerical errors if the existence of the errors and the accuracy of the correction can be determined from the existing administrative record. The alleged error is not evident from the record, and the factual information submitted by RHP is untimely. Therefore, we included the alleged stock transfers in our analysis.

Comment 5: INA asserts that the Department should base FMV on CV information provided by respondent rather than use the BIA rate applied in the preliminary results for eleven particular models further manufactured in the United States. Respondent states that it inadvertently failed to include a component digit in its reported value added code (VALADDE) for the eleven models. Because the program instructed the computer to treat a transaction with a VALADDE code of zero (no component digit) as a non-further manufactured sale, the computer did not look to the appropriate database for FMV. However, INA notes that it clearly identified further manufactured sales in the U.S. database by its "USA" designation for country of origin code (CTRORGE). Thus, according to INA, the error in its reported VALADDE codes resulted in the absence of CV matches only because of the particular way in which the Department's program was written. Accordingly, INA claims that the Department should either insert the correct VALADDE codes for the eleven models or revise the program so that further manufactured sales are identified by CTRORGE.

Department's Position: We agree with INA that FMV for these eleven particular models should be based on CV rather than BIA. It is clear from the record that the VALADDE codes for these eleven models were incorrect. Accordingly, we have revised the program so that further manufactured sales reflect the correct VALADDE codes.

Comment 6: Koyo requests that an alleged clerical error that it committed regarding U.S. commissions be corrected for the final results. Koyo included a commission expense adjustment for all U.S. OEM sales even though some U.S. territories are covered by Koyo's home market sales force and therefore do not incur commission expenses. Koyo argues that because this error is readily apparent from previous submissions, the Department should make the correction for the final results.

Torrington argues that Koyo has not demonstrated that the error is apparent or obvious based on the pre-existing record and, therefore, the Department should not correct the error for the final results.

Department's Position: Since we were able to determine from information already on the record that Koyo committed a clerical error regarding its U.S. commission expenses, we corrected this error for these final results.

Comment 7: Izumoto contends that no family matches were made because the VCOMH data submitted by Izumoto was overstated by a factor of 100 due to a decimal place error, thereby ensuring that no potential family match would pass the 20 percent difmer test. Izumoto requests that the Department correct this error.

Department's Position: We agree with Izumoto and have corrected this error for the final results. We have compared the listings in the VCOME and VCOMH fields for models that were sold in both markets and have determined that the data in the VCOMH field submitted by Izumoto was overstated by a factor of 100.

Comment 8: Izumoto requests that the Department correct an error involving one observation. Izumoto states that it inadvertently reported a dollar amount in the yen field for unit price (UNITPREY) in its section B submission for this observation.

Department's Position: We agree with Izumoto and have corrected this error for the final results.

Comment 9: KYK requests that the Department correct a typographical error in its constructed value dataset. KYK states that it inadvertently input the wrong nomenclature for one model, which resulted in a 45.83 percent BIA rate applied to that model. KYK further states that it did not sell this model in the United States during the POR, which demonstrates that the entry of this model in the CV dataset was strictly a clerical error.

Department's Position: We agree that the one observation that received a BIA rate for KYK's preliminary margin calculation was due to a typographical error, and we have confirmed that the model number originally shown was not sold in the United States during the POR. Accordingly, we have corrected this error for the final results.

Comment 10: Honda asserts that the Department should accept its revised computer tape, which corrects clerical errors. Honda claims that it learned of the clerical errors for the first time in the analysis memorandum released with the preliminary results. Honda argues that the Department should accept these corrections because (1) the Department has done so in the past in other cases; (2) the revised data may be confirmed in

most cases by reference to data previously submitted on the administrative record; (3) acceptance of the revisions would not deprive the Department of the opportunity to verify the data in question; and (4) Honda was not given an opportunity to correct the clerical errors prior to the issuance of the preliminary results.

Department's Position: We agree with Honda in part. Honda submitted a revised computer tape correcting alleged clerical errors after the preliminary results. We can only use this new data if: (1) We can determine that the original information was erroneous, and (2) we can determine, based on information previously on the record, that the revised data is correct.

Honda's reported data fell into thirteen periods over the POR. Honda's prices for home market sales remained constant for the first eleven of these periods. For the last two periods, however, Honda's prices changed. Any home market price that is missing from the first eleven months is clerical in nature because we could confirm the accurate price by referencing one of the other eleven periods. For missing home market data in the first eleven months, we therefore determined that the errors were clerical and that the revised data is acceptable.

We are not accepting Honda's revised data for home market sales in the last two periods of the POR, which corresponds to the month of April 1993. The revised data cannot be confirmed by reference to the data already submitted on the computer tapes used for the preliminary results. Honda claims that the revised data may be confirmed in most cases by reference to its price lists. Honda, however, has made no attempt to indicate where in their voluminous price lists the correct data may be found. We cannot therefore be certain that the revised home market data for the month of April 1993 constitutes accurate information.

Finally, we have rejected any revised U.S. sales data because we cannot confirm that the existance of any omissions or errors could be determined from the pre-existing administrative record. Therefore we relied on information submitted before the preliminary results.

Comment 11: Torrington contends that the Department, in making its product comparisons, failed to take into account the nomenclature used by NPBS. Torrington states that the inability of the Department to calculate margins for some of NPBS's sales may result from this model match problem.

Emerson argues that Torrington's claim regarding problems in NPBS's submitted product nomenclature is groundless. Emerson states that NPBS clearly set out its product nomenclature and that NPBS specifically included a separate field to indicate the home market model representing such or similar merchandise.

NPBS states that it has provided information that clearly establishes a consistent product nomenclature for U.S. and home market merchandise.

Department's Position: We agree with NPBS and Emerson. We verified NPBS's product nomenclature and found no discrepancies.

C. Price and Quantity

Comment 12: INA asserts that the Department should establish a threshold for determining whether home market and U.S. sales quantities are comparable, should compare only comparable quantities, and should use CV as FMV where there are not home market sales in comparable quantities to the U.S. sale. Respondent submits that the statute and regulations do not sanction comparisons of radically different quantities without any adjustment for differences in quantity and that, since the conditions for granting quantity adjustments are not met, the sales should not be compared. INA proposes a test whereby the Department should use home market transactions for price comparisons only in cases where the home market transaction quantity exceeds 10 percent of the quantity in the U.S. transaction. Otherwise, the Department should use CV. *Citing Murata Mfg. Co., Ltd.* v. *United States*, Slip Op. 93–53, at 11 (April 20, 1993), Torrington argues that the regulations and statute contemplate comparisons of sales involving different quantities and provide for adjustments to FMV when differences in quantity do in fact affect price. Petitioner further argues that the claimant bears the burden of proving to the Department's satisfaction that price differentials are due to quantities. Torrington references *Brass Sheet and Strip from the Netherlands*, 53 FR 23431, 23433 (June 22, 1988) to support its claim that the proof offered by INA is deficient in that it fails to establish a correlation between price and quantity.

Federal-Mogul argues that INA acknowledges that it has not and cannot make any showing that quantity differentials have any demonstrable effect upon prices, which is the only way a quantity adjustment can be justified under the regulations. Federal-Mogul claims that although INA seems to suggest that the statutory requirement that FMV be based upon sales in the usual commercial quantities and in the ordinary course of trade proscribes comparisons between U.S. prices and average FMVs based upon both large and small quantity sales, INA does not argue that any of its home market sales are outside the ordinary course of trade, nor does it maintain that the quantities involved are other than commercial.

Department's Position: The statute and the regulations provide that the Department will make an adjustment for any difference in quantities if it is established to the satisfaction of the Department that the amount of any price differential is wholly or partially due to the difference in quantities. 19 U.S.C. 1677b(4)(A) and 19 CFR 353.55. With regard to this adjustment, the regulations require the requesting party to "quantify" the adjustment by showing that any price differential is due to the difference in quantities sold in the home market and the United States. 19 C.F.R. 353.35(a). For example, in *Brass Sheet and Strip From the Netherlands*, 53 FR 23431, 23433 (June 22, 1988), we stated, "To be eligible for a quantity-based adjustment, the respondent must demonstrate a clear and direct correlation between price difference and quantities sold or costs incurred." In a court case involving Swedish steel, the CIT affirmed the Department's practice of requiring the requesting party to quantify the adjustment. *Sandvik* v. *United States*, 679 F. Supp. 12 (CIT 1989) ("The Department properly exercised its discretion in determining that plaintiffs do not qualify for a quantity discount adjustment since the record reflects that there is a lack of correlation between the price and quantity.") See also *NSK* v. *United States* Slip Op. 93–110 (June 17, 1993). Absent any information on the record properly quantifying an adjustment attributable to differences in quantity, we cannot make a quantity adjustment, and we cannot adopt a *per se* rule to account for quantity differences, such as the ten-percent test proposed by INA.

With regard to INA's suggestion that the Department use CV to match sales of differing quantities, section 773(a) of the Tariff Act, administrative practice, and judicial precedent require us to exhaust all sales of such or similar merchandise before resorting to constructed value for price comparisons. The fact that a home market sale may be of a different quantity than a U.S. sale does not outweigh the importance of relying on actual sale price rather than constructed value.

D. Accuracy of the Home Market Database

Comment 13: Torrington argues that the Department should place the burden on Koyo, as the party with access to the necessary information, to establish that sales to affiliates of its U.S. purchasers are in fact home market sales and are not destined for another market. Torrington notes that a "tiny portion" of sales handled by Koyo's Distributor Sales Division was treated as "export ex Japan." Therefore, Torrington argues that, for the final results, the Department should eliminate from the database sales handled by Koyo's Distributor Sales Division.

Koyo maintains that it properly reported its sales in this review, and that Torrington provides no evidence to the contrary. Koyo notes that the "tiny portion" of sales made by the Distributor Sales Division which were treated as "export ex Japan" were already excluded from the home market sales database. Koyo asserts that since this is clearly stated in its November 19, 1992 supplemental response, there is no reason to exclude any sales handled by the Distributor Sales Division for the final results.

Department's Position: We agree with Torrington that the burden is on respondent to report properly its home market sales. However, review of Koyo's questionnaire responses, and verification of its reported home market sales, gave no indication that Koyo inappropriately reported export sales as home market sales. Therefore, we have not excluded any of Koyo's home market sales from our final analysis.

Comment 14: Torrington argues that, due to the Department's findings at verification that Koyo neglected to report CRB sales by a consolidated related party, the Department should apply a BIA rate of 73.55 percent to these sales. Additionally, Torrington alleges that Koyo's response does not demonstrate that it accurately and completely compiled and reported its sales of CRBs. Torrington notes that Koyo disagreed with the Department's determination to include CRBs with length-to-diameter ratios of between three and four to one, and argues that absent record evidence that Koyo's sales listing is complete, the Department should apply the highest CRB margin calculated for any transaction as the BIA rate.

Koyo argues that the Department should reject Torrington's argument that a BIA rate should be applied to Koyo's CRB sales. Koyo notes that the unreported home market CRB sales with length-to-diameter ratios of greater than three to one made by its related party were of models that were only similar to those models sold in the United States. Koyo argues that because all sales of CRBs sold in the United States with length-to-diameter ratios of between three and four to one matched identical merchandise sold in the home market, there was no effect on Koyo's margin calculation resulting from the omission of these sales. Koyo stresses that its failure to report all CRB sales was the result of an oversight and had nothing to do with Koyo's longstanding position that these CRB models should be considered non-scope merchandise. Finally, Koyo notes that the Department found no other errors in the completeness of its sales database.

Department's Position: We disagree with Torrington's argument that BIA should be applied to Koyo's CRB sales. Verification of Koyo's home market questionnaire response revealed that, except for a small amount of CRBs sold by a consolidated related party, Koyo reported all sales of CRBs in the home market. While respondents are responsible for reporting all sales requested by the Department, we recognize that the amount of unreported sales does not constitute a significant omission in Koyo's home market database. Furthermore, despite the fact that the unreported CRB models have been placed on the record, Torrington has not presented evidence to indicate that Koyo's claim that the unreported sales would not be used in our margin calculations is inaccurate.

Comment 15: Torrington argues that the Department should exclude sales to several of Nachi's home market customers, who requested JBI inspections for their purchases, from the home market listing because there is no assurance that these sales were not exported. Torrington bases this allegation on the fact that Nachi had knowledge that one sale to one customer was destined for export. Nachi contends that there was no way for it to know for certain whether bearings (including JBI-inspected bearings) sold to customers would be exported. However, Nachi noted one sale to a single customer that it knew would be exported.

Department's Position: We agree with Torrington that when the seller has knowledge that a sale is going to be exported, it is not considered a home market sale, and therefore, should not be included in the home market sales listing. For the final results, we have excluded all sales to the single customer to whom Nachi sold merchandise that Nachi knew would be exported. We retained sales to the other customers that requested JBI inspections, because there was no evidence to suggest that Nachi was aware that these sales were destined for export.

Comment 16: Torrington argues that NMB/Pelmec Thai's "route B" and bonded warehouse sales are third country sales. Specifically, Torrington states that merchandise sold through "route B" is exempt from home market taxes, receives export subsidies, is physically exported from Thailand, and is sold to the first unrelated party outside of Thailand. Similarly, Torrington alleges that because bonded warehouses in Thailand are typically used for exportation, the Department must presume that merchandise sold through bonded warehouses is not destined for consumption in Thailand. Torrington notes that NMB/Pelmec Thai has not distinguished the sales at issue in this review from those that the Department treated as third country sales in the less-than-fair-value investigation.

Alternatively, Torrington argues that the sales in question are not within the ordinary course of trade. According to Torrington, NMB/Pelmec Thai makes "route B" sales and bonded warehouse sales to avoid limitations on domestic sales imposed by the Thai government. Because NMB/Pelmec makes these sales under unusual conditions, and does not have to pay certain taxes, Torrington concludes that the Department should exclude these sales from its analysis for these final results.

In rebuttal, NMB/Pelmec Thai states that, in accordance with Department precedent, it reported "route B" and bonded warehouse sales to unrelated parties as home market sales. According to NMB/Pelmec Thai, the "route B" sales examined during the investigation were sales in which the first unrelated party was located in Singapore, while those at issue in this review were sales in which the first unrelated party was located in Thailand. NMB/Pelmec Thai further states that although the material inputs used to produce the bearings sold through "route B" and bonded warehouses are exempt from certain import duties, the "route B" and bonded warehouse sales themselves are made in the normal course of business, are in accordance with Thai law, and are subject to regular taxes and import duties. Because the sales in question are within the ordinary course of NMB/Pelmec Thai's business, and because the Department has accepted such sales as home market sales in prior reviews, NMB/Pelmec urges the Department to reject Torrington's claim.

Department's Position: We agree with NMB/Pelmec Thai. In previous reviews, we have accepted bonded warehouse

sales to unrelated parties and "route B" sales in which the first unrelated purchaser is located in Thailand as home market sales. NMB/Pelmec Thai has reported its bonded warehouse and "route B" sales in the same manner as in previous reviews, and Torrington has provided no evidence to distinguish the sales at issue in this review from those that we accepted as home market sales in previous reviews. As a result, we have treated NMB/Pelmec Thai's bonded warehouse and "route B" sales as home market sales for these final results. See AFBs II 57 FR at 28422.

Comment 17: Torrington maintains that NMB/Pelmec Thai's U.S. dollar-denominated home market sales and sales to Thai affiliates of U.S. companies are not home market sales. According to Torrington, the circumstances surrounding these sales suggest that the merchandise sold may not be destined for consumption in Thailand. Under these circumstances, Torrington asserts that NMB/Pelmec Thai has failed to satisfy its burden of proof that the merchandise was destined for consumption in Thailand. Therefore, Torrington requests that, for the final results, the Department eliminate U.S. dollar-denominated sales from NMB/Pelmec's home market sales database, and treat sales to Thai affiliates of U.S. companies as U.S. sales.

NMB/Pelmec Thai responds that the Department excludes such sales as those at issue only when the Department determines that the manufacturer had reason to know or was informed in advance of the ultimate destination of the merchandise. NMB/Pelmec Thai explains that it determined that U.S. dollar-denominated sales and sales to Thai affiliates of U.S. companies consisted of merchandise destined for consumption in Thailand if there was nothing in the purchase order or other sales documentation suggesting that the merchandise would be re-exported. In the absence of such evidence, NMB/Pelmec Thai concludes that the sales at issue are properly classified as home market sales.

Department's Position: We agree with NMB/Pelmec. We would find sales such as those at issue here not to be home market sales only if the manufacturer was informed in advance, or had reason to know, of the ultimate destination of the merchandise, such as a result of special markings, market-specific specifications, or shipping instructions. In this review, there is no evidence in the record to suggest that NMB/Pelmec Thai had reason to know that U.S. dollar-denominated sales or sales to Thai affiliates of U.S. companies consisted of merchandise destined for the United States. Therefore, we have treated such sales as home market sales for these final results. See AFBs II, 57 FR at 28423.

Comment 18: Torrington argues that the Department should reconsider using NSK's home market sales database. Citing the Department's verification report, Torrington argues that the Department found deficiencies in one-third of the sales examined. Torrington asserts that the frequency of the discrepancies in the small sample database used for verification is significant, and that the Department should, at the very least, ensure that it deletes all negative entries and other anomalies from NSK's home market sales database.

NSK responds that the Department found that the transactions in question were not sales. The Department deliberately preselected from the home market sales database certain anomalous observations for verification. NSK notes that the Department was able to trace all relevant data for the remaining sales examined at verification, and was satisfied that NSK had accurately and completely reported its home market sales. Therefore, NSK urges the Department to reject Torrington's request to reconsider the use of NSK's home market sales database.

Department's Position: We agree with NSK. At verification, we received from NSK sufficient explanations regarding the apparent anomalous sales that we had selected for verification. For example, some of the transactions involved returned merchandise or cancelled sales. Further, NSK correctly states that we were able to verify the accuracy and completeness of its home market sales database. Because we were able to reconcile NSK's accounting records to its audited financial statements, and were able to determine that there were no systematic flaws in NSK's reporting of home market sales, we conclude that it is appropriate to base our analysis on NSK's home market sales database. We note, however, that we have excluded physical returns of merchandise from our analysis, as requested by Torrington.

E. Sampling Factor

Comment 19: Various parties argue that the margin program incorrectly multiplies the calculated total of sample sales by a factor of 8.69. Because the actual number of sampled days is 40, not 42, and because 1992 is a leap year, the correct factor is 9.15. For purposes of calculating the final results, therefore, the Department should apply the factor of 9.15 to all sampled ESP sales.

Department's Position: We agree. For the final determination, we have changed the weighing factor from 8.69 to 9.15.

F. Date of Sale

Comment 20: Torrington argues that NPBS has not reported date of sale accurately. While the terms of sale are set when an order is received by telephone, NPBS has reported as the date of sale the shipment date, which is also the invoice date. Torrington contends that it is unreasonable to assume that NPBS (1) does not record the price and quantity terms when taking orders over the telephone, and (2) does not require some action, such as the issuance of a production order, within a set number of days of the telephone order date. Torrington asserts that NPBS ignored the Department's instructions with regard to reporting date of sale. Torrington argues that even if NPBS did not record the accurate date of sale for its own records, NPBS nonetheless should have known that the Department would require such information and therefore should have recorded it.

Emerson contests Torrington's assertion that NPBS should maintain its data regarding date of sale in the manner which Torrington deems appropriate. Emerson argues that NPBS established during verification that the date of sale was the invoice date, and that the Department verified the accuracy of NPBS's data.

NPBS asserts that it fully complied with the Department's instructions in reporting date of sale. NPBS argues that in using the invoice date as the date of sale, NPBS is able to verify the accuracy of its sales date by tracing this date into its accounting records. NPBS concludes that the notes referred to by Torrington are insufficient for documenting date of sale because they are not an accounting record and are not kept by NPBS. The notes merely refer to specific prices and quantities taken over the telephone.

Department's Position: We disagree with Torrington. NPBS's date of sale methodology provides an accurate, reasonable, verifiable, and consistent method for determining date of sale. Furthermore, we cannot require that NPBS keep its records in a manner suited to the needs of an antidumping response. Rather we must examine submitted data and determine whether it is reasonable in light of a company's standard record-keeping and the alternatives available to it. In this case, we determined at verification that NPBS's date of sale (invoice date) is accurate because price and quantity are set on that date.

Comment 21: Nachi argues that the Department made an error in using the shipment date instead of the sale date as the date of sale for U.S. sales in the preliminary results and that the Department should correct this error for these final results.

Department's Position: We agree with Nachi and have corrected this error for the final results.

G. FTZ Sales

Comment 22: Torrington suggests that the Department reconsider whether FAG made any U.S. sales of Italian- or German-origin bearings from foreign trade zones (FTZs) during the POR. Torrington notes that FAG Interamericana, a German corporation operating in the Miami Foreign Trade Zone and wholly owned by FAG Germany, sells bearings to FAG–US to "fill [its] emergency supply needs," and speculates that, therefore, Italian- and German-origin bearings may have entered the United States through the FTZ during the POR. Torrington requests that the Department conduct a verification to determine whether or not such sales have occurred. Absent verification, Torrington argues that the Department should determine that FAG-Italy's and FAG-Germany's U.S. sales responses are deficient and apply BIA.

FAG explains in rebuttal that "it is possible that FAG Interamericana sold FAG-Italy [and FAG-Germany] bearings during the POR—but not to unrelated customers in the U.S." FAG cites its November 20, 1992 and November 24, 1992 supplemental responses to the Department's questionnaire in which it states, "With the exception of those rare instances when FAG Interamericana may sell to FAG–US, a related company, to fill the latter's emergency supply needs, FAG Interamericana neither sells in the United States nor imports bearings into the Customs territory of the United States * * * FAG Interamericana made no sales during the POR of scope product to unrelated customers in the United States."

Department's Response: We agree with FAG. Because FAG Interamericana made sales only to FAG–US and not to unrelated customers, any subsequent sale by FAG–US of Italian- or German-origin bearings would have been reported in FAG-Italy's and FAG-Germany's U.S. sales databases and captured by our analysis. Thus, Torrington's speculation is insufficient grounds for resorting to BIA. Therefore, we have no basis for concluding that the FAG responses are deficient with regard to the reporting of FTZ sales.

Comment 23: Torrington contends that the Department should reject NMB/Pelmec Thai's and NMB/Pelmec Singapore's claims that merchandise imported into U.S. foreign trade zones was re-exported to third countries. According to Torrington, respondents provided no evidence to support their claim that most merchandise entering FTZs did not enter U.S. customs territory prior to re-exportation. Torrington further asserts that respondents failed to prove that certain merchandise that did enter U.S. customs territory through FTZs was actually re-exported. As a result, Torrington concludes that the Department should assume that all bearings that NMB/Pelmec Thai and NMB/Pelmec Singapore entered into U.S. FTZs were consumed in the United States and should be assigned a BIA rate for these final results.

NMB/Pelmec Thai and NMB/Pelmec Singapore respond to Torrington's arguments by citing a ruling by the CIT, *Torrington* v. *United States* Slip. Op. 93–44, (March 29, 1993), that a sale of merchandise in the United States, rather than merely entry into U.S. customs territory, is required before the merchandise can be subject to the assessment of antidumping duties. Respondents assert that they provided information demonstrating that they re-exported most merchandise entered into U.S. FTZs without entering the merchandise into U.S. customs territory. Respondents further assert that they re-exported the small quantity of other merchandise that actually entered U.S. customs territory through FTZs. Therefore, NMB/Pelmec Thai and NMB/Pelmec Singapore conclude that the application of BIA to merchandise entered into U.S. FTZs is unwarranted.

Department's Position: We agree with respondents. NMB/Pelmec Thai and NMB/Pelmec Singapore provided evidence indicating that certain merchandise imported into U.S. FTZs was re-exported without entering the customs territory of the United States. Also, since those bearings that entered the customs territory of the United States were also re-exported prior to sale to an unrelated customer, and because Torrington provided no evidence to the contrary, we conclude that the merchandise at issue was not sold to unrelated parties in the United States. Moreover, respondents' reporting of these sales is consistent with the manner in which they reported such sales in previous reviews, in which we determined that the merchandise was not consumed in the United States. See *AFBs II*, 57 FR at 28424. Therefore, we determine that merchandise that respondents imported into U.S. FTZs is not subject to these reviews, and, therefore, that the application of BIA to these sales is unwarranted.

H. Home Market Viability

Comment 24: Torrington argues that the Department should not determine home market viability for NMB/Pelmec Thai and NMB/Pelmec Singapore on the basis of the quantities of bearings sold in the home and third country markets. According to Torrington, quantity is an inappropriate measure of viability, because bearings may vary considerably by size. Torrington also notes that NMB/Pelmec Thai supports the use of weight to determine home market viability. Given the inherent unreliability of quantity as a measure of home market viability Torrington argues that the Department should determine that NMB/Pelmec Thai's and NMB/Pelmec Singapore's home markets are not viable, and resort to BIA to calculate the dumping margins for these firms.

NMB/Pelmec Thai and NMB/Pelmec Singapore respond that the Department has rejected Torrington's arguments regarding the use of weight to determine home market viability in the previous administrative reviews of these orders. Respondents further argue that, pursuant to the Department's instructions regarding data on home market viability, they did not provide data on the weight of bearings sold because they were able to determine that the home market was viable on the basis of sales quantities. Therefore, NMB/Pelmec Thai and NMB/Pelmec Singapore argue that the Department should accept the reported home market viability data.

Department's Position: We agree with NMB/Pelmec Thai and NMB/Pelmec Singapore. Torrington has provided no evidence that weight is a better indicator of commercial activity in a particular market than sales quantity. Further, NMB/Pelmec Thai and NMB/Pelmec Singapore did not report data on bearing weight because, in accordance with the instructions contained in our original and supplemental questionnaires, they were able to determine that the home market was viable on the basis of sales quantities. Because NMB/Pelmec Thai and NMB/Pelmec Singapore complied fully with our instructions, and because we find no basis for believing that bearing weight provides a better indication of market activity than sales quantity, we have accepted the viability data that respondents reported in these reviews.

Comment 25: Torrington argues that the Department should reject NMB/Pelmec Thai's and NMB/Pelmec Singapore's home market viability calculations because they are based on

incomplete data. According to Torrington, NMB/Pelmec Thai and NMB/Pelmec Singapore unilaterally excluded sales of parts to related parties in both their home and third country markets based on the erroneous premise that reporting such sales of parts would result in "double-counting" because these parts are used by related parties in the production of finished bearings. Torrington rejects respondents' assertion on the grounds that the quantity of parts sold to related parties far exceeds the amount of parts required to produce the quantity of bearings sold by respondent during the review period. Torrington further argues that sales of parts to related parties in third countries would not be double-counted because the finished bearings produced would not appear in the viability calculation for either Thailand or Singapore. Because NMB/Pelmec Thai and NMB/Pelmec Singapore declined to report the required data, Torrington requests that the Department resort to BIA in determining the dumping margins for these firms.

NMB/Pelmec Thai and NMB/Pelmec Singapore respond that the quantity of parts sold to related parties will not correspond exactly to production quantities because the related parties in question purchased parts for inventory. Respondents further argue that double-counting will occur if the Department includes in its viability analysis for one country sales of parts to related parties in third countries, and then includes finished bearings produced with those parts in the viability analysis for the third country. Accordingly, NMB/Pelmec Thai and NMB/Pelmec Singapore conclude that the Department should not include sales of parts to related parties in its analysis.

Department's Position: We agree in part with NMB/Pelmec Thai and NMB/Pelmec Singapore. Respondents provided data on sales of parts to related parties in both the home and third country markets in response to our supplemental questionnaires. Respondents correctly argue that double-counting would occur if, when dealing with consolidated entities as we are in this instance, we included in our viability calculations both home market sales of parts to related parties and finished bearings sold by those parties in the home market. We also agree with respondents' assertion that the number of parts purchased by manufacturers will not necessarily correspond exactly with the number of parts required to produce the reported quantity of bearings sold because manufacturers may purchase parts for inventory. We disagree, however, with respondents' reasoning regarding sales of parts to related parties in third countries. Absent evidence to the contrary, we believe that the country of origin of the parts in question differs from the country of origin of the finished bearings produced from those parts. Thus, the parts and the bearings produced from them cannot be considered to be the same merchandise, and, therefore, cannot be double-counted if considered separately in separate antidumping cases. Based on these conclusions, we excluded home market sales of parts to related parties, and included third country sales of parts to related parties, in our viability analyses for Thailand and Singapore. In both cases, we determined that the home market was viable, and, therefore, did not find the use of BIA to be warranted for these final results.

I. Correction of Preliminary Results

Comment 26: NSK claims that it is unable to comment adequately on the preliminary results because the computer program used to calculate the preliminary dumping margins contains significant clerical errors. NSK is also concerned that certain other errors may not be revealed until the errors at issue are corrected. Therefore, NSK requests that the Department either re-calculate NSK's preliminary dumping margins, or issue draft computer programs in advance of the final results. Torrington concurs with NSK's request.

Department's Position: We agree with NSK and Torrington that the computer program used to calculate the preliminary dumping margin contains clerical errors. We believe, however, that the preliminary computer program provides an adequate basis for the parties to comment on the manner in which we calculated USP, home market price, COP, and CV. In this context, we note that both Torrington and NSK were able to submit numerous comments on our treatment of various expenses, and on our calculations of COP and CV. Moreover, the reissuance of the preliminary results, or the issuance of a draft program in advance of the final results, would hinder our ability to complete these reviews in a timely manner. Because the computer program used for the preliminary analysis provides an adequate basis for comment, and because we must complete these reviews in a timely manner, we have not reissued our preliminary results, or issued a draft computer program for these final results.

J. Cylindrical Roller Bearing Scope Ruling

Comment 27: NTN and FAG argue that the Department improperly included roller bearings with a roller length to diameter ratio between 3:1 and 4:1 in their cylindrical roller bearing margin calculations. Both parties argue that the Department's scope determination on this matter, made in response to a scope ruling request submitted by FAG concerning certain crankshaft and engine main shaft pilot bearings, was made on December 23, 1991, which is eight months into the third review period. Furthermore, both parties argue that the Department did not formally notify respondents that the rationale underlying FAG's specific scope request was to be applied universally to distinguish between needle roller bearings and cylindrical roller bearings. Respondents conclude that there is a clear inequity involved in applying this ruling retroactively.

Torrington argues that respondents had reason to be aware that roller bearings with ratios less than 4:1 might be encompassed by the outstanding orders and that they assumed the risk when they failed to monitor the prices of the merchandise in question.

Department's Position: The scope ruling described above was not a change in the scope of the merchandise covered by the orders in question, but a clarification of what merchandise was already covered by the existing order. We included a list of scope rulings in our questionnaire. Respondents have a responsibility to keep abreast of all scope rulings that are made on specific products, and they should be aware that common principles may apply universally.

K. Importer of Record

Comment 28: Nachi contends that the Department erred in the preliminary results by assuming that the importer and the customer are the same for all of Nachi's purchase price sales. Nachi states that in reality, its U.S. affiliates are the importers of record. Nachi concludes that, as a result, the Department needlessly calculated separate preliminary assessment rates.

Torrington challenges Nachi's assertion that it is the importer for all of its purchase price sales, on the grounds that the merchandise is shipped directly to the U.S. customer.

Department's Position: We agree with respondent. Nachi's response indicates that, despite the fact that the merchandise is shipped directly to Nachi's U.S. customers, Nachi is the importer of record for all of its purchase price sales.

Because there is no evidence on record to suggest that Nachi is not the importer of record for its purchase price sales, we have changed the final results to reflect this correction.

L. Pre-Final Reviews

Comment 29: A number of respondents have requested that the Department follow the procedure used in the first AFB reviews and release computer programs and printouts prior to issuance of the final results for these reviews. This would permit interested parties to comment on any clerical or programming errors and would promote accurate final results and reduce the potential for unnecessary litigation.

Department's Position: Based on our overall evaluation of the quality of our computer runs, the nature of the comments received after the preliminary results, and the nominal changes between the preliminary and final results, we believe the extraordinary procedure of a pre-final release of the computer program and printouts is unnecessary for these reviews. Also, we must complete these reviews in a timely manner, and we are concerned that a pre-final disclosure may jeopardize our ability to do so.

[FR Doc. 93–17461 Filed 7–23–93; 8:45 am]
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[A–559–806]

Certain Portable Electric Typewriters From Singapore; Suspension of Investigation

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce has decided to suspend the antidumping investigation involving certain portable electric typewriters from Singapore. The basis for the suspension is an agreement by the Singaporean producers/exporters, which account for substantially all of the known imports of these products from Singapore, to revise their prices to eliminate sales of this merchandise to the United States at less than fair value.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Steven Presing or Cherie Rusnak, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Case History

Since the publication of our notice announcing the resumption of this proceeding (57 FR 60796, December 22, 1992), the following events have occurred:

On December 30, 1992, the United States Court of International Trade ("CIT") in Slip. Op. 92–232 denied Smith Corona's Application for a Stay Pending Appeal. On January 8, 1993, petitioner alleged that critical circumstances exist with respect to imports of the subject merchandise, within the meaning of section 733(e) of the Act. On January 12, and January 26, 1993, respondent and petitioner, respectively, filed submissions regarding whether the petition in this proceeding was filed "on behalf of" the relevant U.S. industry.

Regarding petitioner's allegation of critical circumstances, the Department found no history of dumping of the subject merchandise and no reason to believe or suspect that importers of this product knew or should have known that it was being sold at less than fair value. Therefore, the Department did not consider whether imports had been massive and determined that critical circumstances did not exist with respect to imports of the subject merchandise from Singapore.

The Department also determined that the petitioner is a U.S. producer representing a substantial share of the industry's output and, therefore, that the petition was filed on behalf of the U.S. industry. In its preliminary determination, the Department also determined that PETs from Singapore were being, or were likely to be, sold in the United States at less than fair value. The estimated margin was 16.02 percent (see 58 FR 7534, February 8, 1993).

Scope of Investigation

The merchandise covered by this investigation consists of certain portable electric typewriters (PETs) from Singapore which are defined as machines that produce letters and characters in sequence directly on a piece of paper or other media from a keyboard input and meeting the following criteria: (1) Easily portable, with a handle and/or carrying case, or similar mechanism to facilitate its portability; (2) electric, regardless of source of power; (3) comprised of a single, integrated unit; (4) having a keyboard embedded in the chassis or frame of the machine; (5) having a built-in printer; (6) having a platen to accommodate paper; and (7) only accommodating its own dedicated or captive software, if any.

Based on petitioner's request, the Department has decided not to include all types of PETs which were determined to be within the scope of the antidumping order on PETs from Japan in the Department's final scope ruling signed on November 2, 1990 (see 55 FR 47358, November 13, 1990). PETs which meet all of the following criteria are excluded from the scope of this investigation: (1) Seven lines or more of display; (2) more than 32K of text memory; (3) the ability to perform "block move"; and (4) a "search and replace" function. A machine having some, but not all, of these four characteristics is included within the scope of the investigation.

The PETs subject to this investigation are currently classifiable under subheadings 8469.10.00 and 8469.21.00 of the Harmonized Tariff Schedule ("HTS"). (Note that personal word processors also are classifiable under subheading 8469.10.00.) Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Period of Investigation

The POI is November 1, 1990, through April 30, 1991.

Suspension of Investigation

The Department consulted with the parties to the proceeding and has considered the comments submitted with respect to the proposed suspension agreement. We have determined that the agreement will eliminate sales of this merchandise to the United States at less than fair value, that the agreement can be monitored effectively, and that the agreement is in the public interest. We find, therefore, that the criteria for suspension of an investigation pursuant to section 734 of the Act have been met. The terms and conditions of the agreement, signed June 22, 1993, are set forth in Annex 1 to this notice.

Pursuant to section 734(f)(2)(A) of the Act, effective July 26, 1993, the suspension of liquidation of all entries entered or withdrawn from warehouse, for consumption of PETs from Singapore as directed in our notice of "Antidumping Preliminary Determination of Sales at Less than Fair Value, Certain Portable Electric Typewriters from Singapore" is hereby terminated. Any cash deposits on entries of PETs from Singapore pursuant to that suspension of liquidation shall be refunded and any bonds shall be released.

The Department intends to conduct an administrative review within twelve months of the anniversary date of the publication of this suspension agreement as provided in section 751 of the Act.

Notwithstanding the suspension agreement, the Department will continue the investigation if we receive such a request in accordance with section 734(g) of the Act within 20 days after the date of publication of this notice. This notice is published pursuant to section 734(f)(1)(A) of the Act.

Dated: June 25, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

Note: Suspension of Liquidation and Refund of Security

Pursuant to the orders of the Court of International Trade entered on June 25, 1993 and July 12, 1993, the Department will not, until permitted to do so by the Court, instruct Customs to: (a) liquidate entries of portable electric typewriters from Singapore which are or have been the subject of administrative proceedings resulting in *Preliminary Determination of Sales at Less Than Fair Value: Certain Portable Electric Typewriters from Singapore*, 58 FR 7534 (Feb. 8, 1993); or (b) refund any cash deposit or release any bond or other security collected pursuant to 19 U.S.C. 1673b(d)(2).

Dated: July 20, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

Annex 1: Suspension Agreement—Certain Portable Electric Typewriters from Singapore

Under section 734 of the Tariff Act of 1930, as amended (19 U.S.C. 1673c) ("the Act"), and 19 CFR 353.18, the U.S. Department of Commerce ("the Department") and the signatory producers/exporters of portable electric typewriters from Singapore enter into this suspension agreement ("the Agreement"). On the basis of this suspension agreement, the Department shall suspend its antidumping investigation initiated on May 14, 1992, (56 FR 22150) with respect to portable electric typewriters from Singapore, subject to the terms and provisions set out below.

A. Product Coverage

The merchandise subject to this Agreement is the following merchandise of Singaporean origin:

(1) Certain portable electric typewriters (PETs) from Singapore which are defined as machines that produce letters and characters in sequence directly on a piece of paper or other media from a keyboard input and meeting the following criteria: (1) Easily portable, with a handle and/or carrying case, or similar mechanism to facilitate its portability; (2) electric, regardless of source of power; (3) comprised of a single, integrated unit; (4) having a keyboard embedded in the chassis or frame of the machine; (5) having a built-in printer; (6) having a platen to accommodate paper; and (7) only accommodating its own dedicated or captive software, if any.

PETs which meet all of the following criteria are excluded from the scope of this Agreement: (1) Seven lines or more of display; (2) more than 32K of text memory; (3) the ability to perform "block move"; and (4) a "search and replace" function. A machine having some, but not all, of these four characteristics is included within the scope of this Agreement.

(2) The PETs subject to this Agreement are classifiable under subheadings 8469.10.00 and 8469.29.00 of the Harmonized Tariff Schedule of the United States (HTSUS) (Note that personal word processors are also provided for under subheading 8469.10.00).

B. U.S. Import Coverage

The signatory producers/exporters collectively are the producers and exporters in Singapore which, during the antidumping investigation on the merchandise subject to this Agreement, accounted for substantially all (not less than 85 percent) of the subject merchandise imported into the United States, as provided in the regulations. The Department may at any time during the period of this Agreement require additional producers/exporters in Singapore to sign this Agreement in order to ensure that not less than substantially all imports into the United States are covered by this Agreement.

In reviewing the operation of this Agreement for the purpose of determining whether this Agreement has been violated or is no longer in the public interest, the Department will consider imports into the United States from all sources of the merchandise described in Section A of this Agreement. For this purpose, the Department will consider factors including, but not limited to, the following: Volume of trade, pattern of trade, whether or not the reseller is an original equipment manufacturer, and the reseller's purchase price.

C. Basis of the Agreement

On and after the effective date of this Agreement, each signatory producer/exporter individually agrees to make any necessary price revisions to eliminate completely any amount by which the foreign market value of this merchandise exceeds the United States price of its merchandise subject to this Agreement. For this purpose, the Department will determine the foreign market value in accordance with section 773(e) of the Act and U.S. price in accordance with section 772 of the Act.

(1) For all sales occurring between the effective date of this Agreement and September 30, 1993, each signatory producer/exporter agrees not to sell its merchandise subject to this Agreement to unrelated purchasers in the United States at prices that are less than its foreign market value, as determined by the Department based on cost information for the period July 1, 1992, through March 31, 1993, and provided to parties not later than June 22, 1993.

(2) For all sales occurring on or after October 1, 1993, each signatory producer/exporter agrees not to sell its merchandise subject to this Agreement to any unrelated purchaser in the United States at prices that are less than its foreign market value of the merchandise, as determined by the Department on the basis of information submitted to the Department not later than the dates specified in section D of this Agreement and provided to parties not later than September 20, December 20, March 20, and June 20 of each year. This foreign market value shall apply to sales occurring during the calendar quarter beginning on the first day of the month following the date the Department provides the foreign market value, as stated in this paragraph.

D. Monitoring

Each signatory producer/exporter will supply to the Department all information that the Department decides is necessary to ensure that the producer/exporter is in full compliance with the terms of this Agreement. As explained below, the Department will provide each signatory producer/exporter a detailed request for information and prescribe a required format and method of data compilation, not later than the beginning of each reporting period.

(1) Sales Information

The Department will require each producer/exporter to report, on computer tape in the prescribed format and using the prescribed method of data compilation, each sale of the merchandise subject to this Agreement, either directly or indirectly to unrelated purchasers in the United States, including each adjustment applicable to each sale, as specified by the Department.

The first report of sales data shall be submitted to the Department, on computer tape in the prescribed format and using the prescribed method of data compilation, not later than October 31, 1993, and shall contain the specified sales information covering the period June 22, 1993 to September 30, 1993. Subsequent reports of sales data shall be submitted to the Department not later than January 31, April 30, July 31, and October 31 of each year and each report shall contain the specified sales information for the quarter ending one month prior to the due date, except that if the Department receives information that a possible violation of the Agreement may have occurred, the Department may request sales data on a monthly, rather than quarterly basis.

(2) Cost Information

The Department will require Smith Corona Corporation and Smith Corona (PTE) Ltd., (the respondent in the original investigation) to report their actual cost of production and profit data on a quarterly basis, in the prescribed format and using the prescribed method of data compilation. Each such producer/exporter also must report anticipated increases in production costs and may report anticipated decreases in production costs in the quarter in which the information is submitted resulting from factors such as anticipated changes in production yield, changes in production process, changes in production quantities or changes in production facilities.

The first report of cost data shall be submitted to the Department not later than July 31, 1993 and shall contain the specified cost data covering the period April 1, 1993, through June 30, 1993. Each subsequent report shall be submitted to the Department not later than October 31, January 31, April 30, and July 31, of each year and each report shall contain specified information for the quarter ending one month prior to the due date.

(3) Special Adjustment of Foreign Market Value

If the Department determines that the foreign market value it determined for a previous quarter was erroneous because the reported costs for that period were inaccurate or incomplete, or for any other reason, the Department may adjust foreign market value in a subsequent period or periods, unless the Department determines that Section F of this Agreement applies.

(4) Verification

Each producer/exporter agrees to permit full verification of all cost and sales information semi-annually, or more frequently, as the Department deems necessary.

(5) Rejection of Submissions

The Department may reject any information submitted after the deadlines set forth in this section or any information which it is unable to verify to its satisfaction. If information is not submitted in a complete and timely fashion or is not fully verifiable, the Department may calculate foreign market value and/or U.S. price based on best information available, as it determines appropriate, unless the Department determines that section F applies.

E. Disclosure and Comment

(1) The Department may make available to representatives of each domestic party to the proceeding, under appropriately drawn administrative protective orders, business proprietary information submitted to the Department during each quarter as well as the results of its calculations of foreign market value.

(2) Not later than September 1, December 1, March 1, and June 1 of each year, the Department will disclose to each producer/exporter the results and the methodology of the Department's calculations of its foreign market value. At that time, the Department may also make available such information to the domestic parties to the proceeding, in accordance with paragraph E(1).

(3) Not later than seven days after the date of disclosure under paragraph E(2), the parties to the proceeding may submit written comments to the Department, not to exceed 10 pages. After reviewing these submissions, the Department will provide to each producer/exporter its foreign market value as provided in paragraph C(2). In addition, the Department may provide such information to domestic interested parties as specified in paragraph E(1).

F. Violations of the Agreement

If the Department determines that this Agreement is being or has been violated or no longer meets the requirements of section 734 (b) or (d) of the Act, the Department shall take action it determines appropriate under section 734(i) of the Act and the regulations.

G. Other Provision

In entering into this Agreement, the signatory producers/exporters do not admit that any sales of the merchandise subject to this Agreement have been made at less than fair value.

H. Termination

The Department will not consider requests for termination of this suspended investigation prior to July, 1998. Termination will be conducted in accordance with section 353.25 of the Department's regulations.

Any producer/exporter may terminate this Agreement at any time upon notice to the Department. Termination shall be effective 60 days after such notice is given to the Department. Upon termination, the Department shall follow the procedures outlined in section 734(i)(1) of the Act.

I. Definitions

For purposes of this Agreement, the following definitions apply:

1. U.S. Price—means the price at which merchandise is sold by the producer or exporter to the first unrelated party in the United States, including the amount of any discounts, rebates, price protection or ship and debit adjustments, and other adjustments affecting the net amount paid or to be paid by the unrelated purchaser, as determined by the Department under section 772 of the Act.

2. Foreign Market Value—means the constructed value of the merchandise, as determined by the Department under section 773(e) of the Act and the corresponding sections of the Department's regulations, as determined by the Department.

3. Producer/Exporter—means (1) the foreign manufacturer or producer, (2) the foreign producer or reseller which also exports, and (3) the related person by whom or for whose account the merchandise is imported into the United States, as defined in section 771(13) of the Act.

4. Date of Sale—means the date on which the essential terms of the contract, including price, are agreed and determinable, normally the date of confirmation of sale.

The effective date of this Agreement is June 22, 1993.

For Singaporean Producers/Exporters

Smith Corona Corporation and Smith Corona (PTE) Ltd.

Terence P. Stewart, Esq.
Stewart and Stewart,

For U.S. Department of Commerce

Date: ———

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

Date: ———

[FR Doc. 93–17786 Filed 7–22–93; 9:46 am]

BILLING CODE 3510-DS-F

[A–583–015]

Television Receivers, Monochrome and Color, From Japan; Amended Final Results of Antidumping Duty Administration Review

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Amended final results of antidumping duty administrative review.

SUMMARY: The Department of Commerce is announcing its amended final results of review, pursuant to remand, of the antidumping finding on television receivers, monochrome and color, from Japan. The remand covers one Japanese manufacturer of the merchandise, Toshiba Corporation, and the periods September 28, 1983, through March 31, 1984, and April 1, 1984, through February 28, 1985.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Michael Heaney or Pamela Woods, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 482–5255.

SUPPLEMENTARY INFORMATION:

Background

On August 6, 1991, the Department of Commerce (the Department) published in the **Federal Register** (56 FR 37339) its final results of antidumping duty administrative review of the antidumping finding on television receivers, monochrome and color, from Japan (36 FR 4597; March 10, 1971). We determined the dumping margin for Toshiba Corporation (Toshiba) for the periods from September 28, 1983, through February 28, 1986, to range from 0.06 percent to 39.88 percent.

Toshiba challenged the Department's final results of review at the Court of International Trade (CIT) with respect to the periods September 28, 1983, through March 31, 1984, and April 1, 1984, through February 28, 1985. On September 25, 1992, the CIT issued an order remanding the final results of review to the Department for recalculation of the dumping margin (*Toshiba Corp.* v. *United States,* Court No. 91–09–00649). On October 26, 1992, the Department submitted its redetermination to the CIT. The CIT subsequently affirmed that redermination on December 7, 1992.

Amended Final Results of Review

As a result of our recalculation of Toshiba's margins pursuant to court

remand, we determine Toshiba's margin to be 0.01 percent for the period September 28, 1983, through March 31, 1984, and to be 0.02 percent for the period April 1, 1994, through February 28, 1995.

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. Individual differences between United States price and foreign market value may vary from the percentages stated above.

This review and notice is in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended, and § 353.22 of the Department's regulations (19 CFR 353.22).

Dated: July 14, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 93–17756 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-DS-M

International Trade Administration

[C–549–401]

Certain Apparel From Thailand; Notice of Proposed Amended Conversion

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Certain apparel from Thailand: Notice of proposed amendment to the existing conversion of the scope of the order from the Tariff Schedules of the United States Annotated to the Harmonized Tariff Schedule.

SUMMARY: On January 1, 1989, the United States fully converted to the international harmonized system of tariff classification. On January 11, 1989, the Department of Commerce (the Department) published the Conversion to Use of the Harmonized Tariff Schedule of Classifications for Antidumping and Countervailing Duty Proceedings (54 FR 993; January 11, 1989) (1989 Conversion) for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989. The Department now proposes to amend the 1989 Conversion governing the countervailing duty orders on apparel from Thailand. Interested parties are invited to comment on this proposed amended conversion.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Sarah Givens or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone (202) 482–2786.

Background

In 1985, the Department issued a countervailing duty order on Certain Apparel from Thailand (C–549–401) (50 FR 9818; March 12, 1985). The scope of this order was originally defined solely in terms of the Tariff Schedules of the United States Annotated (TSUSA) item numbers; no narrative product description was provided. On January 1, 1989, the United States fully converted from the TSUSA to the Harmonized Tariff Schedule (HTS). Section 1211 of the Omnibus Trade and Competitiveness Act of 1988 directed the Department to "take whatever actions are necessary to conform, to the fullest extent practicable, with the tariff classification system of the Harmonized Tariff Schedule [for] all * * * orders * * *" in effect at the time of the implementation of the HTS.

Accordingly, on January 11, 1989, after reviewing comments received from the public, the Department published the 1989 Conversion for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989 (54 FR 993). The notice also included the conversion of the scope of the referenced apparel order from TSUSA to HTS item numbers. The 1989 Conversion was based on a one-to-one correspondence of the TSUSA and HTS item numbers. In the notice, the Department stated that the conversion could be amended, as warranted, at any time during the applicable proceeding as a result of the submission of comments or new factual information.

As a result of comments submitted to the Department by the importing public and advice received from the U.S. Customs Service, the Department determined that the 1989 Conversion did not accurately reflect the scope of the Certain Apparel from Thailand order and, therefore, that the order should be amended. On September 15, 1992, the Department published a proposed amendment to the 1989 Conversion and invited interested parties to comment on it (57 FR 42545). The Department did not receive any comments with respect to the amendment to the Certain Apparel from Thailand order.

The Department published on January 13, 1993 the amended 1989 Conversion (Amended 1989 Conversion) (58 FR 4151). On March 10, 1993, the Customs Service began liquidating without regard to countervailing duties all unliquidated entries of the subject merchandise not covered in the Amended 1989 Conversion that were exported on or after January 1, 1989. Customs also began liquidating at the appropriate rate all unliquidated entries of the subject merchandise covered in the Amended 1989 Conversion that were exported on or after January 1, 1989.

Thereafter, the Department discovered that the Amended 1989 Conversion was based on an inaccurate HTS list. On April 23, 1993, after being notified by the Department of the error, Customs stopped liquidation and resumed suspending liquidation according to the 1989 Conversion.

To rectify the error in the 1989 Amended Conversion, the Department, with the assistance of the U.S. Customs Service and the U.S. International Trade Commission, has once again compared the TSUSA-defined scope and the HTS-defined scope provided by the 1989 Conversion, and identified those HTS numbers that more reasonably correspond with the TSUSA-defined scope of the Certain Apparel from Thailand countervailing duty order. A new proposed amended conversion is found in the attached appendix.

Request for Public Comments

We invite interested parties to submit comments on the proposed amended conversion within 30 days of the publication of this notice. All comments must be in writing (10 copies), addressed to the attention of the Director, Office of Countervailing Compliance, International Trade Administration, IA Central Record Unit, room B–099, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Dated: July 9, 1993.

Barbara R. Stafford,

Acting Assistant Secretary for Import Administration.

Appendix: Proposed Amended HTS List for Certain Apparel From Thailand (C–549–401)

4202.1240	4202.1260	4202.1280	4202.2245
4202.2260	4202.2270	4202.2280	4202.3240
4202.3295	4202.9215	4202.9220	4202.9230
4202.9260	4202.9290	6101.2000	6101.3020
6102.1000	6102.3010	6102.3020	6103.1920*
6103.2200*	6103.2300*	6103.2910*	
6103.4210	6103.4315	6103.4910	6104.1200*
6104.1320	6104.1915	6104.2100*	6104.2200*
6104.2300*	6104.2910*	6104.3100	6104.3310
6104.3320	6104.3910	6104.4200	6104.4320
6104.4420	6104.5100	6104.5200	6104.5310
6104.5320	6104.5910	6104.6220	6104.6320
6104.6920	6105.1000	6105.2020	6106.1000
6106.2020	6109.1000	6109.9010	6110.2020
6110.3030	6111.3010	6111.3020	6111.3030
6111.3040	6111.3050	6111.9010	6111.9020
6111.9030	6111.9040	6111.9050	6112.1200
6112.1910	6112.2010	6114.2000	6114.3010
6114.3030	6201.1220	6201.1340	6201.9220
6202.1220	6202.1340	6202.9220	6202.9345

6202.9350	6203.1910*	6203.2230*	
6203.2300*	6203.2920*	6203.4240	6203.4340
6203.4920	6204.1200*	6204.2230*	
6204.2300*	6204.2920*	6204.3220	6204.3350
6204.3600	6204.4230	6204.4340	6204.4440
6204.5220†	6204.5330	6204.5930	6204.6240
6204.6335	6204.6925	6205.2020	6206.3030
6206.4030	6208.2200	6208.9200	6209.2010
6209.2020	6209.2030	6209.2050	6210.3010
6210.5010	6212.1010	6212.1020	

* Coverage limited to garments that would be covered by this order if separately entered.

† Coverage excludes garments of denim or of pile fabrics.

[FR Doc. 93–17752 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-DS-F

(C–791–801)

Notice of Postponement of Preliminary Countervailing Duty Determinations: Certain Carbon Steel Flat Products from South Africa

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Kristin M. Heim, Office of Countervailing Investigations, U.S. Department of Commerce, room B099, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–3798.

POSTPONEMENT: On July 9, 1993, Armco Steel Company, L.P., *et al.* petitioners in the investigations, requested that the Department postpone the preliminary determinations in accordance with 19 CFR 355.15(c). Accordingly, pursuant to section 703(c)(1)(A) of the Tariff Act of 1930, as amended, ("the Act") and 19 CFR 355.15(c), we are postponing the date of the preliminary determinations until no later than September 3, 1993.

This notice is published pursuant to section 703(c)(2) of the Act and 19 CFR 355.15(e).

Dated: July 16, 1993.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 93–17753 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-DS-F

Iowa State University et al.; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 93–009. *Applicant:* Iowa State University, Ames, IA 50011. *Instrument:* ICP Mass Spectrometer. *Manufacturer:* Turner Scientific, United Kingdom. *Intended Use:* See notice at 58 FR 17862, April 6, 1993. *Reasons:* The foreign instrument provides: (1) Detection sensitivity to 1 pptr, (2) linear dynamic mass range at ± 5% over 10 orders of magnitude, and (3) isotope ratio measurements within ± 2% from lithium to uranium.

Docket Number: 93–011. *Applicant:* North Caroline State University, Raleigh, NC 27695–7212. *Instrument:* Sonic Telemetry Transmitters and Receivers, Models V3–6L and VR–20. *Manufacturer:* VEMCO, Canada. *Intended Use:* See notice at 58 FR 17862, April 6, 1993. *Reasons:* The foreign instrument provides: (1) Recorded identification of individuals by serial number, sound pulse rate and frequency to minimize false positives and (2) a built-in memory.

Docket Number: 93–013. *Applicant:* University of Colorado Health Sciences Center, Denver, CO 80262. *Instrument:* UV Flashlamp, Model XF-10. *Manufacturer:* Hi Tech Scientific Ltd., United Kingdom. *Intended Use:* See notice at 58 FR 17862, April 6, 1993. *Reasons:* The foreign instrument provides: (1) Minimum electromagnetic interference, (2) spot focused quartz optics and (3) 10 to 340J adjustable stored energy.

Docket Number: 93–014. *Applicant:* U.S. Department of Agriculture, Beckley, WV 25802–0867. *Instrument:* Comair Root Length Scanner. *Manufacturer:* Hawker de Havilland Ltd., Australia. *Intended Use:* See notice at 58 FR 17862, April 6, 1993. *Reasons:* The foreign instrument provides: (1) Root length measurements to 100 m, (2) 0.1 to 2.0 mm diameters and (3) accuracy of ± 5% for 15 to 60 m samples.

Docket Number: 93–021. *Applicant:* Colorado State University, Fort Collins, CO 80523. *Instrument:* Trisector Double Focusing Geometry Mass Spectrometer, Model Autospec–5000. *Manufacturer:* VG Instruments, United Kingdom. *Intended Use:* See notice at 58 FR 17863, April 6, 1993. *Reasons:* The foreign instrument provides: (1) Resolution to 60 000, (2) scan rate to 5 per second and (3) HPLC interface.

Docket Number: 93–023. *Applicant:* Virginia Commonwealth University, Richmond, VA 23298. *Instrument:* ACTA Rotating Wear Testing Machine. *Manufacturer:* Academic Center for Dentistry, The Netherlands. *Intended Use:* See notice at 58 FR 17863, April 6, 1993. *Reasons:* The foreign instrument provides accurate simulation of conditions of clinical wear, with adjustment for slip, force and frequency.

The National Institutes of Health advises in its memoranda dated May 25, 1993, that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 93–17744 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-DS-F

Applications for Duty-Free Entry of Scientific Instruments

Pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with subsections 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC.

Docket Number: 93–070. *Applicant:* Iowa State University, Purchasing Department, 2nd Floor General Services Building, Ames, IA 50011. *Instrument:* Mass Spectrometer, Model OPTIMA. *Manufacturer:* Fisons Instruments, United Kingdom. *Intended Use:* The instrument will be used for studies of newly designed commodities, ingredients, and products ultimately intended to be foods for human

consumption. The instrument will function as analytical support equipment in interdisciplinary research conducted to understand and evaluate the linkages of food production, processing, distribution and design of new foods to consumer demands, food selection and consumption for nutritional assurance and health maintenance. The instrument will also be used for educational purposes in food science courses. *Application Received by Commissioner of Customs:* June 21, 1993.

Docket Number: 93–071. *Applicant:* Georgia Institute of Technology, 225 North Avenue, NW, Atlanta, GA 30332. *Instrument:* EM31 Conductivity Meter and Model DL720 Digital Data Acquisition System. *Manufacturer:* Geonics Ltd., Canada. *Intended Use:* The instrument will be used for studies of the effectiveness of a range of test methods used in hazardous waste site assessment. In particular, this device is used to study electromagnetic conductivity in soil and ground water and thereby assist in identifying the presence of contaminants. In addition, the instrument will be used in two courses that focus on techniques for assessment of subsurface contamination. *Application Received by Commissioner of Customs:* June 22, 1993.

Docket Number: 93–072. *Applicant:* Horn Point Environmental Laboratory, P.O. Box 775, 2020 Horn Point Road, Cambridge, MD 21613. *Instrument:* OM 780 Model 781 Oxygen Meter, MC 100 Microcell and SI 130 1302 Oxygen Electrode. *Manufacturer:* Strathkelvin Instruments, United Kingdom. *Intended Use:* The instrument will be used for sampling of small mesocosms that will have small volumes of water in a research program to examine the scaling effects of human and natural perturbations on living ecosystems. *Application Received by Commissioner of Customs:* June 22, 1993.

Docket Number: 93–073. *Applicant:* Rutgers University, Fiber Optic Material Research Program, Brett & Bowser Road, Piscataway, NJ 08854. *Instrument:* Excimer Laser System, Model AQX–150. *Manufacturer:* MPB Technologies, Canada. *Intended Use:* The instrument will be used to explore scientific and technological questions in the research topic of photosensitive glasses and fiber Bragg grating formation. *Application Received by Commissioner of Customs:* June 22, 1993.

Docket Number: 93–074. *Applicant:* The College of William and Mary, Virginia Institute of Marine Science, Route 1208, P.O. Box 1346, Gloucester Point, VA 23062. *Instrument:* Electronic Fish Measuring Board, Model FMB IV. *Manufacturer:* Limnoterra Atlantic, Inc., Canada. *Intended Use:* The instrument will be used to obtain size measurements of fish and crustaceans during studies of various fish and crustaceans native to the Chesapeake Bay and Mid-Atlantic Bight. *Application Received by Commissioner of Customs:* June 24, 1993.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 93–17745 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DS–F

University of Minnesota; Decision on Application for Duty-Free Entry of an Electron Microscope

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 93–027. *Applicant:* University of Minnesota, St. Paul, MN 55108. *Instrument:* Electron Microscope, Model CM 12. *Manufacturer:* Philips Electronic Instruments, The Netherlands. *Intended Use:* See notice at 58 FR 21973, April 26, 1993. *Order Date:* February 16, 1993.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, was being manufactured in the United States at the time the instrument was ordered. *Reasons:* This foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to this purpose, which was being manufactured in the United States either at the time of order of this instrument.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 93–17746 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DS–F

Massachusetts Institute of Technology; Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 93–020. *Applicant:* Massachusetts Institute of Technology, Cambridge, MA 02139. *Instrument:* 'Canterbury' Cryostopped-flow Sample Handling Unit and Anaerobic Kit, Models SHU-41 and OPT.417. *Manufacturer:* Hi-Tech Scientific Ltd., United Kingdom. *Intended Use:* See notice at 58 FR 17863, April 6, 1993.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* This is a compatible accessory for an instrument previously imported for the use of the applicant. The instrument and accessory were made by the same manufacturer. The National Institutes of Health advises in its memorandum dated May 25, 1993 that the accessory is pertinent to the intended uses and that it knows of no comparable domestic accessory.

We know of no domestic accessory which can be readily adapted to the previously imported instrument.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 93–17754 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DS–F

Woods Hole Oceanographic Institution et al.; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 93–028. *Applicant:* Woods Hole Oceanographic Institution, Woods Hole, MA 02543. *Instrument:* Mass Spectrometer, Model OPTIMA. *Manufacturer:* VG Instruments, United Kingdom. *Intended Use:* See notice at 58 FR 21973, April 26, 1993. *Reasons:* The

foreign instrument provides three Faraday collectors capable of measuring three sets of masses without adjustment and a guaranteed internal precision of 0.01 per mil for 10 bar μl samples of CO_2.

Docket Number: 93–039. *Applicant:* Princeton University, Princeton, NJ 08544. *Instrument:* Isotope Ratio Mass Spectrometer, Model OPTIMA. *Manufacturer:* VG Isotech, United Kingdom. *Intended Use:* See notice at 58 FR 27267, May 7, 1993. *Reasons:* The foreign instrument provides precisions of ± 0.05 per mil for carbon and ± 0.08 per mil for oxygen on samples of hydroxyapatite as small as 0.5 mg using a carbonate autosampler with dual trapping.

The capability of each of the foreign instruments described above is pertinent to each applicant's intended purposes. We know of no instrument or apparatus being manufactured in the United States which is of equivalent scientific value to either of the foreign instruments.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 93–17755 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DS–F

National Institute of Standards and Technology

[Docket No. 930521–3121]

RIN 0693–AB18

Proposed Revision of Federal Information Processing Standard (FIPS) 173, Spatial Data Transfer Standard (SDTS)

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice; request for comments.

SUMMARY: This proposed revision to Federal Information Processing Standard (FIPS) 173, Spatial Data Transfer Standard (SDTS), adds a Topological Vector Profile (TVP). The TVP is a limited subset of SDTS specifications for the transfer of vector data. FIPS 173 currently consists of three parts and provides specifications for the organization and structure of digital spatial data transfer, definition of spatial features and attributes, and data transfer encoding. The purpose of this standard is to promote and facilitate the transfer of digital spatial data between dissimilar computer systems. This proposed revision will supersede FIPS PUB 173 in its entirety.

SDTS supports the transfer of vector data with geometry and topology, raster data, graphic representation modules, and geometry-only vector data. The SDTS Topological Vector Profile supports only geographic vector data with geometry and topology.

A SDTS application profile, not requiring the full functionality of SDTS, defines requirements for a specific type of data and/or application. A SDTS profile simplifies the implementation of SDTS while maximizing the probability of successful data interchanges between dissimilar computer systems.

Prior to the submission of this proposed revision to the Secretary of Commerce for review and approval, it is essential to assure that consideration is given to the needs and views of federal organizations, vendors, the public, and State and local governments. The purpose of this notice is to solicit such views.

The proposed revision contains two sections: (1) An announcement section, which provides information concerning the applicability, implementation, and maintenance of the standard; and (2) a specifications section which deals with the technical requirements of the standard. The specifications section, in four parts, provides specifications for: Part 1—Logical Specifications, Part 2—Spatial Features, Part 3—ISO 8211 Encoding, Part 4—Topological Vector Profile (TVP). Part 4, Topological Vector Profile (TVP) which will be added to the SDTS by this revision includes two changes and several clarifications to Part 1 of SDTS.

Only the announcement section of the standard is provided in this notice. Interested parties may obtain copies of Part 4, Topological Vector Profile from: Spatial Data Transfer Standard Task Force, U.S. Geological Survey, National Mapping Division, 526 National Center, Reston, VA 22092. Copies of FIPS 173 Spatial Data Transfer Standard (SDTS) which includes Parts 1, 2, and 3 are for sale by the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161.

DATES: Comments on this proposed revision must be received on or before October 25, 1993.

ADDRESSES: Written comments concerning the proposed revision should be sent to: Director, Computer Systems Laboratory, ATTN: Revision of FIPS 173, Technology Building, room B154, National Institute of Standards and Technology, Gaithersburg, MD 20899.

Written comments received in response to this notice will be made part of the public record and will be made available for inspection and copying in the Central Reference and Records Inspection Facility, room 6020, Herbert C. Hoover Building, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Mr. Henry Tom, National Institute of Standards and Technology, Gaithersburg, MD 20899, telephone (301) 975–3271.

Dated: July 20, 1993.

Arati Prabhakar,

Director.

Proposed Federal Information Processing Standards Publication 173–1,

(Date)

Announcing the Standard for Spatial Data Transfer Standard (SDTS)

Federal Information Processing Standards Publications (FIPS PUBS) are issued by the National Institute of Standards and Technology after approval by the Secretary of Commerce pursuant to section 111(d) of the Federal Property and Administrative Services Act of 1949 as amended by the Computer Security Act of 1987, Public Law 100–235.

1. Name of Standard. Spatial Data Transfer Standard (SDTS) (FIPS PUB 173–1).

2. Category of Standard. Software Standard, Information Interchange.

3. Explanation. This standard provides specifications for the organization and structure of digital spatial data transfer, definition of spatial features and attributes, data transfer encoding, and topological vector profile. The purpose of the standard is to promote and facilitate the transfer of digital spatial data between dissimilar computer systems.

Work on a national spatial data transfer standard was initiated by the National Committee for Digital Cartographic Data Standards, American Congress on Surveying and Mapping in 1982 to develop a comprehensive set of data exchange standards for the profession. In 1985, the Standards Working Group of the Federal Interagency Coordinating Committee on Digital Cartography also began work on spatial data exchange standards. During 1987, the results of these parallel efforts were merged by the Digital Cartographic Data Standards Task Force into the proposed Digital Cartographic Data Standard, published as a special issue of the American Cartographer in January 1988.

Subsequent testing, modification, and refining of the specifications were done by the Spatial Data Transfer Standard Technical Review Board. These efforts resulted in the approval and issuance of the Spatial Data Transfer Standard (SDTS) as Federal Information Processing Standard (FIPS) Publication 173 consisting of three parts: Part 1—Logical Specifications, Part 2—Spatial Features, Part 3—ISO 8211 Encoding. This revised standard supersedes FIPS 173 its entirety and adds Part 4, the Topological Vector Profile (TVP). The TVP is a limited subset of SDTS specifications for the transfer of vector data, it includes two changes and several clarifications to Part 1 of SDTS.

SDTS supports the transfer of vector data with geometry and topology, raster data,

graphic representation modules, and geometry-only vector data. The SDTS Topological Vector Profile supports only geographic vector data with geometry and topology.

An SDTS application profile, not requiring the full functionality of SDTS, defines requirements for a specific type of data and/or application. A SDTS profile simplifies the implementation of SDTS while maximizing the probability of successful data interchanges between dissimilar computer systems.

4. Approving Authority. Secretary of Commerce.

5. Maintenance Agency. U.S. Department of Interior, United States Geological Survey (USGS), National Mapping Division.

6. Related Documents. A list of references is contained in section 1.3 and Annex F of Part 1 of the specifications.

7. Objectives. The objectives of the SDTS are to:

—Provide a common mechanism for transferring digital spatial information between dissimilar computer systems, while preserving information meaning, and minimizing the need for information external to this standard;

—Provide for the purpose of transfer, a set of clearly specified spatial objects and relationships to represent real world spatial entities, and to specify the ancillary information necessary to accomplish the transfer;

—Provide a transfer model that will facilitate the conversion of user-defined to standardized set of objects, relationships, and information.

9. Applicability.

a. This standard is intended for use in the acquisition and development of government applications and programs involving the transfer of digital spatial data between dissimilar computer systems.

b. The use of the FIPS SDTS applies when the transfer of digital spatial data occurs or is likely to occur within and/or outside of the Federal government.

c. The use of the FIPS SDTS does not apply to the transfer of digital geocoded data files which are not intended to represent spatial entities as digital geographic or cartographic features.

d. FIPS SDTS is not intended to facilitate product distribution of spatial data in a form designed for direct access by application software specific to a particular data structure, class of computer platform, or distribution media.

e. Nonstandard features should be used only when the needed operation or function cannot be reasonably implemented with standard features alone. Although nonstandard features can be very useful, it should be recognized that the use of these or any other nonstandard elements may make the interchange of digital spatial data and future conversions more difficult and costly.

f. Use of this standard or a FIPS approved SDTS application profile, such as the SDTS TVP, is required for Federal Government implementations of this standard. FIPS SDTS implementations not requiring full functionality are designated as application profiles. Application profiles, requiring all three parts of the FIPS SDTS, are limited subsets designed for use with a specific type of data and/or application. The SDTS Topological Vector Profile (TVP) is an application profile.

9. Specifications. The FIPS SDTS, in four parts, provides specifications for the organization and structure of digital spatial data transfer, definition of spatial features and attributes, data transfer encoding, and Topological Vector Profile.

Specifications of this FIPS have the following characteristics:

(a) Ability to transfer vector, raster, grid and attribute data and other ancillary information;

(b) Common set of terminology and definitions for spatial features;

(c) Internal description of the data types, formats, and data structures such that the information items can be readily identified and processed in the recipient system; and

(d) Media independence and extendibility to encompass new spatial information as needed.

10. Implementation. The implementation of this standard involves three areas of consideration: Acquisition of FIPS SDTS implementations, validation, and interpretations of the standard.

10.1 Acquisition of FIPS SDTS Implementations. This revised standard becomes effective six (6) month after the publication in the **Federal Register** announcing approval by the Secretary of Commerce. Federal applications requiring the transfer of digital spatial data, are encouraged to start using FIPS SDTS.

A transition period provides time for industry to produce implementations conforming to the standard. The transition period for FIPS 173, SDTS began on February 15, 1993 and continues for twelve (12) months theerafter. Because FIPS 173–1 specifies the limited subset of FIPS 173, the transition period for FIPS 173–1 will coincide with that originally established for FIPS 173. Use of FIPS 173–1 is mandatory for Federal agencies by February 15, 1994.

10.2 Validation. Conformance to FIPS SDTS is applicable whether implementations are developed internally, acquired as part of an automated data processing (ADP) procurement, acquired by separate procurement, used under an ADP leasing arrangement, or specified for use in contracts for programming services.

Conformance criteria, based on application profiles, will be used for validating the conformance of FIPS SDTS implementations. Validations of implementations for conformance to FIPS SDTS, conformance criteria, policy, and procedures are under the authority of the FIPS program.

10.3 Interpretation of FIPS SDTS. Resolution of questions regarding this standard will be provided by NIST. Questions concerning the content and specifications should be addressed to: Director, Computer Systems Laboratory, ATTN: FIPS SDTS Interpretation, National Institute of Standards and Technology, Gaithersburg, MD 20899, Telephone: (301) 975–2490.

11. Waivers. Under certain exceptional circumstances, the heads of Federal departments and agencies may approve waivers to Federal Information Processing Standards (FIPS). The head of such agencies may redelegate such authority only to a senior official designated pursuant to section 3506(b) of Title 44, United States Code. Requests for waivers shall be granted only when:

a. Compliance with a standard would adversely affect the accomplishment of the mission of an operator of a Federal computer system, or

b. Compliance with a standard would cause a major adverse financial impact on the operator which is not offset by government-wide savings.

Agency heads may approve requests for waivers only by a written decision which explains the basis upon which the agency head made the required finding(s). A copy of each such decision, with procurement sensitive or classified portions clearly identified, shall be sent to: Director, Computer Systems Laboratory, ATTN: FIPS Waiver Decisions, Technology Building, room B–154, National Institute of Standards and Technology, Gaithersburg, MD 20899.

In addition, notice of each waiver granted and each delegation of authority to approve waivers shall be sent promptly to the Committee on Government Operations of the House of Representatives and Committee on Government Affairs of the Senate and shall be published promptly in the **Federal Register**.

When the determination on a waver request applies to the procurement of equipment and/or services, a notice of the waiver determination must be published in the Commerce Business Daily as a part of the notice of solicitation for offers of an acquisition or, if the waiver determination is made after that notice is published, by amendment of such notice.

A copy of the waiver request, any supporting documents, and the document approving the waiver request and any supporting and accompanying documents, with such deletions as the agency is authorized and decides to make under 5 U.S.C. 552 (b), shall be part of the procurement documentation and retained by the agency.

[FR Doc. 93–17751 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–CN–M

Government Owned Inventions Available for Licensing

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of Government owned inventions available for licensing.

SUMMARY: The invention listed below is owned by the U.S. Government, as represented by the Department of Commerce, and is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 to achieve expeditious commercialization of results of federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on

these inventions may be obtained by writing to: Mary Beth Pignone, National Institute of Standards and Technology, Office of Technology Commercialization, Division 222, Building 221, room B256, Gaithersburg, MD 20899; Fax 301–869–2751. Any request for information should include the NIST Docket No. for the relevant invention as indicated below.

SUPPLEMENTAL INFORMATION: The invention available for licensing is:

Title: Method of Fabricating Articles.

Description: A method for cutting ceramic articles by using a new cutting fluid of boric acid in distilled water. The use of boric acid can reduce cutting forces by 20–50%, depending upon the cutting material. This new cutting fluid may also be used on steel and steel alloys. Overall, the use of this cutting fluid may lead to a major reduction in the total fabrication costs of the ceramic article.

Dated: July 20, 1993.

Arati Prabhakar,

Director.

[FR Doc. 93–17750 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-13-M

National Oceanic and Atmospheric Administration

[I.D. 072093A]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS issues this notice that the North Pacific Fishery Management Council (Council) has submitted Amendment 31 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) for Secretarial review and is requesting comments from the public. Copies of the amendment may be obtained from the Council (see **ADDRESSES**).

DATES: Comments on the FMP amendment should be submitted on or before September 20, 1993.

ADDRESSES: Comments on the FMP amendment should be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, Alaska, 99802 (Attn: Lori Gravel), or delivered to the Federal Building Annex, Suite 6, 9109 Mendenhall Mall Road, Juneau, Alaska.

Copies of Amendment 31 and the environmental assessment (EA) prepared for the amendment are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, Alaska 99510 (telephone 907–271–2809).

FOR FURTHER INFORMATION CONTACT: Jessica A. Gharrett, NMFS, Alaska Region, 907–586–7228.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it prepares to the Secretary of Commerce (Secretary) for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that the Secretary, upon receiving the plan or amendment, immediately publish a notice that the plan or amendment is available for public review and comment. The Secretary will consider the public comments received during the comment period in determining whether to approve the plan or amendment.

The FMP currently manages Atka mackerel, *Pleurogrammus monopterygius*, as a component of the "other species" category of groundfish. Amendment 31 to the FMP would remove Atka mackerel from that category and establish the species as a separate target groundfish category in the Gulf of Alaska (GOA). Establishment of a new target category for Atka mackerel in the GOA would: (1) Allow biologically-based management of Atka mackerel stocks; (2) prevent preemption of remaining "other species" by fishing activities for Atka mackerel; (3) potentially increase harvest amounts of Atka mackerel in the Western Regulatory Area; and, (4) potentially increase the total allowable catch (TAC) for the "other species" category, currently specified as 5 percent of the cumulative target species TACs.

In the GOA, the "other species" category is currently comprised of Atka mackerel, sculpins, skates, squid, smelts, sharks, eulachon, capelin, and octopus. Target operations have developed the Atka mackerel in recent years. The remaining species components of the "other species" category typically are encountered as bycatch in groundfish target fisheries, and are frequently discarded. The TAC for "other species" has, until 1993, been a Gulf-wide TAC equal to 5 percent of the sum of TACs specified for all target species.

Atka mackerel occurs almost exclusively in the Western Regulatory Area. Since 1990, a target fishery for Atka mackerel had developed in this area. Target operations for Atka mackerel in 1992 resulted in the "other species" TAC being harvested early in the year. As a result, retention of "other species" was prohibited by May 1992 (57 FR 21215, May 19, 1992). To prevent a similar situation in 1993, the "other species" TAC was apportioned by management area. However, a target fishery for Atka mackerel in the Western Regulatory Area again caused a closure of directed fishing for "other species" in that area in April 1993 (58 FR 17806, April 6, 1993).

During 1992, the Council recommended initiation of an FMP amendment to establish Atka mackerel as a separate target species category in the GOA. A draft analysis was prepared under guidance of the National Environmental Policy Act (NEPA) for 1969 and NOAA policy. Two alternatives were considered in the EA: the status quo, under which Atka mackerel would remain in the "other species" category, and Alternative 2, which establishes a separate target species category for Atka mackerel. At its June 1993 meeting, the Council considered information presented in the EA and recommendations of its advisory committees on the amendment proposal. The Council then approved Amendment 31 that would establish Atka mackerel as a separate target species category in the GOA. This amendment is intended to be effective for the 1994 fishing year, if approved by the Secretary after review and consideration of public comments.

Under Amendment 31, management of GOA Atka mackerel would be biologically-based and more responsive to conservation needs of Atka mackerel stocks, predators, and other aspects of the environment. Atka mackerel catches would not preempt fishing for, or retention of, the "other species" category. Furthermore, the amount of Atka mackerel available for harvest potentially could increase from the 1993 level (3,053 metric tons), based on the 1993 "other species" TAC specified for the Western Regulatory Area of the GOA, and the amount of "other species" would increase because the TAC for "other species" is calculated as 5 percent of the sum of TACs specified for target species.

This change is necessary to improve conservation and management of Atka mackerel and of remaining "other species" groundfish resources. The change is intended to further the goals and objectives of the FMP. No regulatory changes are necessary to implement this FMP amendment because target groundfish and "other species" are specified annually under existing regulations at § 672.20(a)(2).

List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 20, 1993.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 93–17606 Filed 7–20–93; 5:05 pm]

BILLING CODE 3510-22-M

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Amendment of scientific research permit No. 797 (P77#57).

SUMMARY: Notice is hereby given that pursuant to the provisions of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking importing, and exporting of endangered fish and wildlife (50 CFR part 222), and the conditions hereinafter set out, Scientific Research Permit No. 797, issued to the National Marine Mammal Laboratory, Alaska Fisheries Science Center, NMFS, NOAA, 7600 Sand Point Way, NE., BIN C15700, Seattle, Washington 98115, is amended to authorize, for the purpose of scientific research, the import of marine mammal specimen materials collected in a legal manner on land or in the waters of the country of origin, and to export marine mammal specimen material for purposes of analysis by individuals or laboratories in foreign countries. The specimens may be re-imported for further analyses or archival by the National Marine Mammal Laboratory.

ADDRESSES: Documents pertaining to this permit and amendment are available for review, by appointment, in the following offices:

Permits Division, Office of Protected Resources, NMFS, NOAA, 1335 East-West Highway, suite 7324, Silver Spring, MD 20910, (301/713–2289);

Director, Alaska Region, NMFS, NOAA, 9109 Mendenhall Mall Road, suite 6, Juneau, AK 99802, (907/586–7221);

Director, Northwest Region, NMFS, NOAA, 7600 Sand Point Way, NE., BIN C15700, Seattle, WA 98115, (206/526–6150);

Director, Southwest Region, NMFS, NOAA, 501 West Ocean Boulevard, suite 4200, Long Beach, CA 90802–4213, (310/980–4015);

Director, Southeast Region, NMFS, NOAA, 9450 Koger Boulevard, St. Petersburg, FL 33702, (813/893–3141); and

Director, Northeast Region, NMFS, NOAA, One Blackburn Drive, Gloucester, MA 01930, (508/281–9200).

Dated: July 20, 1993.

Herbert W. Kaufman,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 93–17655 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-22-M

National Technical Information Service

Government-Owned Invention; Availability for Licensing

The invention described in U.S. Patent 4,277,344 and entitled "Interfacially Synthesized Reverse Osmosis Membrane" is intended to be available for licensing in the U.S. and, possibly, in certain foreign countries to achieve broad commercialization and use of results of federally funded research and development. Prospective licenses will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 207–209.

The invention relates to a method of making and using a sheet-like composite reverse osmosis membrane for removing solute from solute-containing water in a single pass. The sheet-like composite material comprises a microporous support layer and, supported thereon, a crosslinked, water permeable, interfacially polymerized, ultrathin polyamide desalinizing layer.

A copy of Patent 4,277,344 and licensing information may be obtained by writing to: Douglas J. Campion, Acting Director, Office of Federal Patent Licensing, National Technical Information Service (NTIS), U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151, or by telephoning (703) 487–4732.

Nothing contained in this notice shall be construed as authority to practice the invention covered by the patent, as a waiver of the government's rights in or to enforce the patent, as a waiver of royalties due for past use of the patent, or as dedication of the patent for public use. To date, no licenses have been granted by the government under the patent and any unauthorized use of the patent will be pursued.

Applications for patent licenses to practice the invention embodied in Patent 4,277,344 should be sent to Douglas J. Campion at the address above and should be received within 30 days of publication of this notice to ensure consideration for a license.

Douglas J. Campion,

Acting Director, Office of Federal Patent Licensing.

[FR Doc. 93–17656 Filed 7–23–93; 8:45 am]

BILLING CODE 3510-04-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in China

July 19, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: July 20, 1993.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6703. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for Categories 218, 340, 352 and 615 are being increased by application of swing, reducing the limit for Category 607 to account for the increases.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 57 FR 54976, published on November 23, 1992). Also see 57 FR 62304, published on December 30, 1992.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist

only in the implementation of certain of its provisions.

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

July 19, 1993.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 23, 1992, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in China and exported during the twelve-month period which began on January 1, 1993 and extends through December 31, 1993.

Effective on July 20, 1993, you are directed to amend further the directive dated December 23, 1992 to adjust the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and the People's Republic of China:

Category	Adjusted twelve-month limit [1]
Levels not in a group	
218	10,873,718 square meters.
340	821,088 dozen of which not more than 402,228 dozen shall be in Category 340–Z [2].
352	1,821,256 dozen.
607	1,611,118 kilograms.
615	23,024,710 square meters.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1992.

[2] Category 340–Z: only HTS numbers 6205.20.2015, 6205.20.2020, 6205.20.2050 and 6205.20.2060.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 93–17758 Filed 7–23–93; 8:45 am]

BILLING CODE 3516–DR–F

Adjustment of Import Limits for Certain Cotton, Wool and Man-Made Fiber Textiles and Textile Products and Silk Blend and Other Vegetable Fiber Apparel Produced or Manufactured in the Philippines

July 20, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: July 27, 1993.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–6713. For information on embargoes and quota re-openings, call (202) 482–3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being adjusted, variously, for swing, carryover and special shift.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 57 FR 54976, published on November 23, 1992). Also see 57 FR 53473, published on November 10, 1992.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

July 20, 1993.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on November 4, 1992, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textiles and textile products and silk blend and other vegetable fiber apparel, produced or manufactured in the Philippines and exported during the twelve-month period which began on January 1, 1993 and extends through December 31, 1993.

Effective on July 27, 1993, you are directed to amend the directive dated November 4, 1992 to adjust the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and the Philippines:

Category	Adjusted twelve-month limit [1]
Levels in Group I	
237	1,075,027 dozen.
239	9,667,101 kilograms.
331/631	3,900,550 dozen pairs.
333/334	233,198 dozen of which not more than 28,371 dozen shall be in Category 333.
335	151,788 dozen.
336	583,973 dozen.
338/339	1,669,598 dozen.
340/640	847,520 dozen of which not more than 466,135 dozen shall be in Categories 340–Y/640–Y [2].
341/641	785,978 dozen.
342/642	417,482 dozen.
345	142,278 dozen.
347/348	1,588,742 dozen.
350	114,214 dozen.
351/651	455,345 dozen.
352/652	1,725,026 dozen.
359–C/659–C [3]	666,000 kilograms.
361	1,496,635 numbers.
369–S [4]	339,249 kilograms.
431	178,511 dozen pairs.
433	3,388 dozen.
443	41,169 numbers.
445/446	29,030 dozen.
447	8,581 dozen.
611	4,491,522 square meters.
633	30,785 dozen.
634	333,760 dozen.
635	318,009 dozen.
636	1,392,702 dozen.
638/639	1,715,132 dozen.
643	735,327 numbers.
645/646	628,107 dozen.
647/648	844,911 dozen.
649	6,110,382 dozen.
650	78,774 dozen.
659–H [5]	1,176,701 kilograms.
847	786,745 dozen.

Category	Adjusted twelve-month limit [1]
Group II 200–229, 300–326, 330, 332, 349, 353, 354, 359–O [8], 360, 362, 363, 369–O [7], 400–414, 432, 434–442, 444, 448, 459, 464–469, 600–607, 613–629, 630, 632, 644, 653, 654, 659–O [9], 665, 666, 669–O [9], 670–O [10], 831–846 and 850–859, as a group.	96,547,210 square meters equivalent.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1992.

[2] Category 340–Y: only HTS numbers 6205.20.2015, 6205.20.2020, 6205.20.2046, 6205.20.2050 and 6205.20.2060; Category 640–Y: only HTS numbers 6205.30.2010, 6205.30.2020, 6205.30.2050 and 6205.30.2060.

[3] Category 359–C: only HTS numbers 6103.42.2025, 6103.49.3034, 6104.62.1020, 6104.69.3010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010; Category 659–C: only HTS numbers 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.3038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.3014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.4015, 6211.33.0010, 6211.33.0017 and 6211.43.0010.

[4] Category 369–S: only HTS number 6307.10.2005.

[5] Category 659–H: only HTS numbers 6502.00.9030, 6504.00.9015, 6504.00.9060, 6505.90.5090, 6505.90.6090, 6505.90.7090 and 6505.90.8090.

[6] Category 359–O: all HTS numbers except 6103.42.2025, 6103.49.3034, 6104.62.1020, 6104.69.3010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010 (Category 359–C)

[7] Category 369–O: all HTS numbers except 6307.10.2005 (Category 369–S).

[8] Category 659–O: all HTS numbers except 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.3038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.3014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.4015, 6211.33.0010, 6211.33.0017, 6211.43.0010 (Category 659–C); 6502.00.9030, 6504.00.9015, 6504.00.9060, 6505.90.5090, 6505.90.6090, 6505.90.7090 and 6505.90.8090 (Category 659–H).

[9] Category 669–O: all HTS numbers except 6305.31.0010, 6305.31.0020 and 6305.39.0000 (Category 669–P).

[10] Category 670–O: all HTS numbers except 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9025 (Category 670–L).

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 93–17759 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DR–F

Extension of an Import Limit for Certain Cotton Textile Products Produced or Manufactured in Qatar

July 21, 1993.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs extending a limit.

EFFECTIVE DATE: July 28, 1993.

FOR FURTHER INFORMATION CONTACT: Jennifer Tallarico, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of this limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715. For information on categories on which consultations have been requested, call (202) 482–3740.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The United States Government has decided to continue the restraint limit on Categories 347/348 for an additional twelve-month period, beginning on July 28, 1993 and extending through July 27, 1994.

The United States remains committed to finding a solution concerning these categories. Should such a solution be reached in consultations with the Government of Qatar, further notice will be published in the **Federal Register**.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 57 FR 54976, published on November 23, 1992). Also see 57 FR 54222, published on November 17, 1992.

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

July 21, 1993.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on July 28, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 347/348, produced or manufactured in Qatar and exported during the twelve-month period beginning on July 28, 1993 and extending through July 27, 1994, in excess of 345,815 dozen.

Imports charged to this category limit for the period July 28, 1992 through July 27, 1993 shall be charged against that level of restraint to the extent of any unfilled balance. Goods in excess of that limit shall be subject to the limit established in this directive.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Rita D. Hayes,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 93–17747 Filed 7–23–93; 8:45 am]

BILLING CODE 3510–DR–F

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Proposed Additions to the Procurement List Correction

In the document appearing on page 38364 in the second column of FR Doc. 93–16947 in the issue of July 16, 1993 the service listed as Janitorial/Custodial, U.S. Soldier's and Airmen's Home, 3700 North Capitol Street, NW., Washington DC should read Janitorial/ Custodial and Warewashing, U.S. Soldier's and Airmen's Home, 3700 North Capitol Street, NW., Washington, DC.

Beverly L. Milkman,

Executive Director.

[FR Doc. 93–17599 Filed 7–23–93; 8:45 am]

BILLING CODE 6820–33–F

COMMODITY FUTURES TRADING COMMISSION

Chicago Mercantile Exchange Proposed Major Market Index Futures and Futures Option Contracts

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures and option contracts.

SUMMARY: The Chicago Mercantile Exchange (CME or Exchange) has applied for designation as a contract market in Major Market Index futures and futures option contracts. The Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposals for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATES: Comments must be received on or before August 10, 1993.

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Reference should be made to the CME Major Market Index futures and futures option contracts.

FOR FURTHER INFORMATION CONTACT: Please contact Stephen Sherrod of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, telephone 202–254–7303.

SUPPLEMENTARY INFORMATION: Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the Exchange in support of the applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed terms and conditions, or with respect to other materials submitted by the Exchange, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC, on July 21, 1993.

Gerald D. Gay,

Director.

[FR Doc. 93–17781 Filed 7–23–93; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Environmental Assessment; RAPTOR/TALON Program

AGENCY: Ballistic Missile Defense Organization (BMDO), DOD.

ACTION: Notice.

SUMMARY: The Department of Defense has prepared a Finding of No Significant Impact based on assessment of the potential environmental consequences of conducing the BMDO RAPTOR/TALON Program. The proposed action of the BMDO RAPTOR/TALON Program is to design, develop, and demonstrate technologies related to the Responsive Aircraft Program for Theater Operations (RAPTOR), an unmanned aerial vehicle capable of sustained, high altitude, long-term flight, and the Theater Applications—Launch on Notice (TALON), a miniaturized kinetic kill interceptor to be deployed on the RAPTOR.

BACKGOUND: Pursuant to the Council on Environmental Quality Regulations (40 CFR parts 1500–1508) for implementing the procedural provisions of the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and the U.S. Department of Defense (DOD) Directive 6050.1 (Environmental Effects in the United States of DOD Actions), the Ballistic Missile Organization (BMDO) has conducted an assessment of the potential environmental consequences of the design, development, and subsequent demonstration of the RAPTOR/TALON and related activities. The BMDO is proposing efforts under a technology program to design, develop, and demonstrate the platforms and interceptors capable of meeting a hostile theater ballistic missile threat.

Activities within the BMDO RAPTOR/TALON Program would occur successively. Each generation of launch platforms and interceptor would reflect technological advances as they are achieved during the program's progress. Major program activities would occur at several California locations: Lawrence Livermore National Laboratory (LLNL), Simi Valley, Mojave, the former George Air Force Base (AFB), Edwards AFB, and Norton AFB (slated for closure March 31, 1994). Activities would also occur at the Nevada Test Site and White Sands Missile Range, New Mexico. There would also be test flights of the RAPTOR platform in global commons airspace.

The prime RAPTOR Solar Electric Test Platform (SETP) candidate would be a refurbished modular span-loaded wing first developed by the Government for other purposes in the early 1980s. It would be refurbished for testing by AeroVironment, Inc., Simi Valley, California. Materials used in the unmanned "wing" and future versions are lightweights such as balsa and composite materials. A second candidate RAPTOR platform would be a fixed-wing unmanned aerial vehicle. Scaled Composites, Inc. of Mojave, California, would manufacture the airframe. This platform would be powered by a turbocharged gasoline engine. It would be constructed primarily of composite materials. A significant portion of the RAPTOR/TALON program would be a technology research effort to design, develop, and demonstrate an efficient solar-powered energy supply. To do so would require major advances in fuel cell technology.

The TALON would be a high endoatmospheric or exoatmospheric kinetic kill interceptor designed to operate from the RAPTOR platform. The TALON would attain a typical speed of nearly 1.5 miles per second and have a range of approximately 60 miles. The TALON would make use of a miniature pumped-propulsion system developed at LLNL, Livermore, California. The system would use hydrazine or hydrazine and nitrogen tetroxide for propellants.

Ground testing of RAPTOR would be at contractor facilities at Simi Valley or Mojave Airport, California. Initial aerial testing of the SETP would likely occur at the former George AFB, California, or at Norton AFB, another location near the Simi Valley facility. The fixed-wing aircraft would likely be tested at Edwards AFB, California. White Sands Missile Range would also be considered for RAPTOR flight testing. The RAPTOR

proof of concept would likely require sustained flight over many thousands of times. This would require the capability to maintain flight 24 hours per day.

The TALON interceptor would require design, component, and subsystem testing. The TALON would be designed to operate from the RAPTOR platform. Design testing would occur at LLNL. The Talon propulsion components would be tested at LLNL. Tether testing of the divert thrusters would be accomplished at the Department of Energy's Nevada Test Site. Flight testing of TALON would occur at White Sands Missile Range. Initial tests would likely involve launch from a conventional high-performance aircraft, launches to a "point-in-space," and eventually launches against an air-breathing target. Integrated testing of RAPTOR and TALON would occur at White Sands Missile Range.

Transportation of either RAPTOR or TALON components would require standard commercial tractor-trailer assemblies. Fuel not transported for the systems would be obtained locally for testing.

A no-action alternative was considered. The alternative of not conducting RAPTOR/TALON technological research and development was rejected since ramifications of the no-action alternative would be that during military operations, potentially optimal area defense might not be achieved. Breakthroughs in continuing research in sensor and area interceptor technologies might be delayed to the detriment of the overall Ballistic Missile Initiative.

FINDINGS: The potential for significant impacts was determined through an analysis of the activities that would be conducted at the proposed locations. The potential impacts of the proposed action were assessed against the following environmental considerations: biological resources; cultural resources; air quality; noise; meteorology; airspace use; and safety. The methodical approach consisted of identifying potential environmental issues and determining their significance.

The design, development, and demonstration of the RAPTOR/TALON, system and its components would be conducted in or at existing facilities that are routinely used for such activities. No significant impacts will occur as a result of using these facilities.

The RAPTOR/TALON Program would not cause any significant impacts on environmental resources or the human environment at LLNL. The LLNL's function within the BMDO RAPTOR/TALON Program is primarily administrative, with minor component assembly and testing. These activities are well within the existing capacity and present practices of LLNL. No construction, additional concerns for air and water quality, or additional hazardous waste issues are anticipated.

The BMDO RAPTOR/TALON Program would not cause any significant impacts on environmental resources or the human environment at AeroVironment, Inc. Program activities would not result in increased generation of air or water discharges or hazardous waste. All program activities would be consistent with ongoing operations that are in compliance with applicable Federal, State, and local laws and regulations. Nor would the RAPTOR/TALON Program cause any significant impacts on environmental resources or the human environment at Scaled Composites, Inc. Program activities are a small percentage of the facility's activities and would not result in increased generation of air or water discharges or hazardous waste. All program activities would be consistent with ongoing operations that are in compliance with applicable Federal, State, and local laws and regulations.

Ground testing of the TALON at the DOE Nevada Test Site would occur at a facility designed for such testing. Noise and air emissions from the testing would be within the design characteristics of the facility.

The BMDO RAPTOR/TALON Program would cause no significant impacts on transportation and would pose no special requirements.

The BMDO RAPTOR/TALON Program flight testing would not cause any significant impacts to environmental resources or the human environment. Candidate locations for flight testing of the SETP include the former George AFB, Edwards AFB, Norton AFB, and Mojave Airport. Testing of the fixed-wing RAPTOR would occur at Edwards AFB. Testing of the integrated RAPTOR and TALON would occur at White Sands Missile Range. Evaluation of potential impacts at those locations revealed none of significance.

Potential cumulative impacts of the BMDO RAPTOR/TALON Program were evaluated. Flight preparation, operations, and recovery of RAPTOR platforms would occur within areas normally used for aviation activity. This program would not create a measurable increase in those activities, nor is it expected to create a situation where an environmental resource would reach a threshold of concern. The TALON interceptor activities would not increase the stress level on any environmental resource. The BMDO RAPTOR/TALON Program would not result in any accumulation of noise, common resources, or infrastructure impacts.

Portions of the proposed action could occur outside the United States. Four areas of concern warranted analysis for potential environmental impacts in the global commons: air quality, aviation safety, public safety, and conservation. Activities in the global commons would cause no impacts of any significance to the areas evaluated.

Overall, no significant impact will result from conducting the RAPTOR/TALON Program. Therefore, no environmental impact statement will be prepared for the proposed action.

FOR FURTHER INFORMATION CONTACT: Mr. Crate J. Spears, BMDO Environmental Coordinator, BMDO/GST, The Pentagon, room 1E180, Washington, DC 20301–7100, (703) 693–1745.

Dated: July 20, 1993.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 93–17595 Filed 7–23–93; 8:45 am]

BILLING CODE 5000–04–M

Environmental Assessment; BMDO Balloon Program

AGENCY: Ballistic Missile Defense Organization (BMDO), DOD.

ACTION: Notice.

SUMMARY: Department of Defense has prepared a Finding of No Significant Impact based on assessment of the potential environmental consequences of conducting the BMDO Balloon Program. The proposed action of the BMDO Balloon Program is to develop, launch, test, and operate the High Altitude Balloon Experiment (HABE) and the Kestrel Balloon Experiment and to conduct a data collection program.

BACKGROUND: Pursuant to the Council on Environmental Quality Regulations (40 CFR parts 1500–1508) for implementing the procedural provisions of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and the U.S. Department of Defense (DOD) Directive 6050.1 (Environmental Effects in the United States of DOD Actions), the Ballistic Missile Defense Organization (BMDO) has conducted an assessment of the potential environmental consequences of the development and subsequent operation of the High Altitude Balloon Experiment (HABE), the Kestrel Balloon Experiment, and their related activities.

The BMDO is proposing to launch and operate the HABE and Kestrel high

altitude balloon platforms to gather information related to the following objectives: Demonstrate the capability to acquire, track, and intercept targets having various trajectories at varying altitudes; measure the target and background radiometric observables of rocket motors in their boost phase; and collect data on the phenomenology of rocket booster signatures. These objectives will be accomplished through the use of passive and active electrooptical and laser sensors and other instrumentation that will be launched on large volume, high altitude balloons to observe target-of-opportunity missile launches from several locations.

Fabrication, assembly, and testing of instruments contained in the HABE experiment payload will be conducted at Phillips Laboratory at Kirtland Air Force Base (AFB), New Mexico. Integration and initial testing of the acquisition and tracking system will be conducted at Kirtland AFB. Initial flight testing of the balloon system will occur at White Sands Missile Range, New Mexico, or on Kirtland AFB. Initial high altitude testing of the acquisition and tracking system will occur in the vicinity of White Sands Missile Range. The proposed activities will be conducted in existing facilities and will be within the scope of activities normally conducted at those facilities.

Fabrication, assembly, and testing of instruments contained in the Kestrel experiment payload will be conducted at Lawrence Livermore National Laboratory (LLNL) at Livermore, California. Integration and initial testing of the acquisition and tracking system will be conducted at LLNL. Initial flight testing of the balloon system will be offshore in the vicinity of Vandenberg AFB, California. The proposed activities will be conducted in existing facilities and will be within the scope of activities routinely conducted at those facilities.

The HABE and Kestrel systems are designed to be launched from either a tractor-trailer assembly or from a ship. Both the HABE and Kestrel systems are designed to be recovered from either land or water.

Follow-on testing and data collection would be conducted on target-of-opportunity launches from Vandenberg AFB; Cape Canaveral Air Force Station (AFS), Florida; and White Sands Missile Range.

Alternatives considered include no action and alternate platform programs. The no action alternative was rejected since it would mean that no research and development, demonstration, or testing could be done with the HABE or Kestrel systems. Data gathering activities necessary to develop technologies supporting directed-energy weapons could be slowed, or decisions on the Ballistic Missile Defense Organization would have to be made on less reliable or possibly unverified information. The alternate platform programs were eliminated due to their prohibitive costs. Two alternate programs, Starlab and Altair, were considered for development of similar acquisition, tracking, and pointing, and data gathering activities for boost-phase targets. Starlab, originally designed for launch aboard the National Aeronautics and Space Administration's space shuttle, was canceled when its projected costs approached $1 billion. The Altair space-based sensing and tracking program was also abandoned because of its cost. Both programs are not considered viable alternatives because of their excessive costs.

FINDINGS: The potential for significant impacts was determined through an analysis of the activities that would be conducted at the proposed locations. The potential impacts of the proposed action were assessed against the following environmental considerations: Biological resources; air quality; noise; historical and cultural resources; airspace; public safety; meteorology; transportation; toxic and hazardous materials and waste; and solid waste (balloon remnants). The methodical approach consisted of identifying potential environmental issues and determining their significance.

The balloon program prelaunch, launch, flight, and recovery activities would be conducted at and in the vicinity of Vandenberg AFB, Cape Canaveral AFS, and White Sands Missile Range. No significant impacts are expected to occur as a result of these activities.

Land launch of the HABE or Kestrel balloon systems in the vicinity of White Sands Missile Range, Vandenberg AFB, or Cape Canaveral AFS will be conducted from a specially constructed launch platform built on a standard flatbed trailer. Accompanying support and command-and-control vehicles would be adapted to standard tractor-trailer configurations. Helium for the balloons would be transported in compressed gas cylinders on a standard commercial trailer built for that purpose. Balloon inflation is routine. Sea launch of the Kestrel or HABE balloon systems would be done from a special launch tower placed on the stern of a ship. Support equipment and command-and-control stations would also be located on the ship. Helium would be stored on the ship's deck in standard, commercial tanks.

Targets of opportunity would be launched for other research or operational missions. The HABE and Kestrel sensors would acquire information about the rocket boost phase of the missile launch, and the acquisition and target system would attempt to acquire and illuminate the boost rocket. The launch of these targets of opportunity would be environmentally assessed independently of the BMDO Balloon Program. Recovery of the balloons and the payload could be on land or water for either the HABE system or the Kestrel system. The descent of the payload and balloon could be controlled with reasonable accuracy and would not be initiated until a projected clear area was available for landing. No significant impacts are expected to result from the launch, flight, operation, or recovery of the HABE or Kestrel systems.

Potential cumulative impacts of the BMDO Balloon Program were evaluated. Since the balloon operations would take place 50 to 200 miles from the target missile's launch point and trajectory, there would be no accumulation of noise, common resources, or infrastructure impacts. Balloon operations are foreseen to have no potential environmental impacts on prior, present, or future actions by other agencies or people.

Overall, no significant impact is expected to result from conducting the BMDO Balloon Program. Therefore, no environmental impact statement will be prepared for the proposed action.

FOR FURTHER INFORMATION CONTACT: Mr. Crate J. Spears, BMDO Environmental Coordinator, BMDO/GST, The Pentagon, room 1E180, Washington, DC 20301–7100, (703) 693–1745).

Dated: July 20, 1993.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 93–17596 Filed 7–23–93; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF ENERGY

Transmittal of Monitored Retrievable Storage Facility Annotated Outline for the Preparation of a License Application, Revision 2, to the Nuclear Regulatory Commission

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: The Department of Energy transmitted the Monitored Retrievable

Storage Facility Annotated Outline for the Preparation of a License Application, Revision 2, dated June 30, 1993, to the U.S. Nuclear Regulatory Commission on July 15, 1993. The annotated outline process is the basis for developing a license application, if any, before the U.S. Nuclear Regulatory Commission for the Monitored Retrievable Storage Facility program. The annotated outline process is iterative, with revisions to be developed in consultation with the U.S. Nuclear Regulatory Commission.

FOR FURTHER INFORMATION CONTACT: For further information and to obtain a copy of the annotated outline, contact Priscilla Bunton, RW–331, Office of Civilian Radioactive Waste Management, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–8365.

Issued in Washington, DC on July 20, 1993.

Lake H. Barrett,

Acting Director, Office of Civilian Radioactive Waste Management.

[FR Doc. 93–17719 Filed 7–23–93; 8:45 am]

BILLING CODE 6450–01–M

Bonneville Power Administration

Intent To Prepare an Environmental Impact Statement and Notice of Floodplain and Wetlands Involvement for the Eastern Washington Main Grid Support Project

AGENCY: Bonneville Power Administration (BPA), Department of Energy (DOE).

ACTION: Notice of intent to prepare and consider an environmental impact statement (EIS) and notice of floodplain and wetlands involvement.

SUMMARY: BPA is proposing to construct a new 500-kilovolt (kV) transmission line from Bell Substation north of Spokane, Washington, to the Grand Coulee Dam 500-kV Switchyard in Douglas County, Washington. BPA would use its existing corridor by removing or modifying one or more of its existing lines to make room for the 500-kV line.

The new line, together with remaining lines, would increase the capacity of the transmission system to move electricity into and through the Spokane/Lewiston area to meet foreseeable regional needs. The new line would also improve electrical service to local customers in eastern Washington, northern Idaho, and western Montana by improving system reliability.

The EIS will be prepared in accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality NEPA regulations (40 CFR parts 1500–1508), and DOE's NEPA regulations (10 CFR part 1021). Because the existing Bell-Grand Coulee right-of-way (ROW) crosses numerous wetlands and the 100-year floodplain of various creeks and rivers located in Spokane, Lincoln, and Grant Counties, Washington, in accordance with 10 CFR part 1022, BPA will prepare a floodplain and wetlands assessment as part of the EIS and will avoid or minimize potential harm to or within the affected floodplain and wetlands.

DATES: Interested and affected persons including landowners, concerned citizens, special interest groups, local governments, and community groups are invited to help BPA identify alternatives, environmental resources, and issues to be addressed in the draft EIS. A letter, Fact Sheet and a brief questionnaire will be sent to interested parties on a project mailing list at the beginning of scoping. This information will explain the project, and how to get additional information. Two BPA-sponsored scoping meetings will be held the week of September 12, 1993, at the following locations: September 14, 1993, 6–9 p.m., Whitworth College, Lindeman Conference Center, room 4, Spokane, Washington; September 15, 1993, 7–9 p.m., Bureau of Reclamation, Project Office, Large Conference Room, Grand Coulee, Washington. Meetings are planned to be open house style where project material will be available for study. BPA staff will answer questions and accept verbal and written comments. BPA also will announce the time and place of scoping meetings in local newspapers and in a second letter sent to interested parties. Written comments may be sent to the Public Involvement Manager at the address below. Scoping ends September 26, 1993.

BPA plans to file and distribute a Draft EIS for public review by fall 1994. BPA will hold meetings in local communities near the transmission corridor to give the public an opportunity to review and comment on the draft EIS.

ADDRESSES: BPA invites comments and suggestions on the proposed scope of the draft EIS. Send comment letters, requests to be placed on the project mailing list, and requests for further information to the Public Involvement Manager—ALP, Bonneville Power Administration, P.O. Box 12999, Portland, Oregon 97212.

FOR FURTHER INFORMATION CONTACT: Mr. John Taves, Environmental Coordinator for Engineering—EFBG, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208, (503) 230–4995, fax number (503) 230–3984, or call BPA's Public Involvement Office at (503) 230–3478 in Portland; toll-free (800) 622–4519 outside of Portland and within the western states region. Project information may also be obtained from:

Mr. Paul Eichin, Area Engineer, Bonneville Power Administration, Upper Columbia Area Office, room 561, U.S. Court House, 920 W. Riverside Avenue, Spokane, Washington 99201 (509) 353–2567.

FOR FURTHER INFORMATION ON THE DOE NEPA PROCESS CONTACT: Carol M. Borgstrom, Director, Office of NEPA Oversight, EH–25, U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585 202–586–4600 or 800–472–2756.

SUPPLEMENTARY INFORMATION: Some transmission facilities move electricity west from generating resources in Montana and Idaho into the Spokane/Lewiston area and across eastern Washington. They serve local customers and carry electricity further west to major load centers like Portland and Seattle. These facilities include BPA's 115-, 230-, and 500-kV transmission lines and interconnected utilities 115-kV and 230-kV transmission lines. Over the last few years, these facilities have been stressed due to complex transmission system operating needs.

In 1992, BPA and Washington Water Power (WWP) began to make short-term improvements on the system to help relieve transmission bottlenecks in the area. They realized that a long-term solution was needed. These improvements will be completed in late 1994 or early 1995, and will increase the capacity of the system to at least 2800 megawatts (MW), allowing BPA and WWP to operate the system more reliably for present loads.

BPA and other utilities estimate that the system will need to carry out 1600 MW more than it is carrying now by the end of the decade. Building a new 500-kV transmission line would increase the existing capacity of the system to at least 3900 MW, providing a higher capacity transmission path that can accommodate BPA transmission needs including existing and future power transmission obligations to other utilities. A new line would also relieve loading on the lower voltage 230- and 115-kV systems and allow these lines to better serve local loads.

Alternatives

BPA has identified three alternatives to consider. (1) No Action (the consequences of continuing to operate under present conditions). (2) BPA would construct a single-circuit 500-kV transmission line from Bell Substation in Spokane, Washington, west to Grand Coulee Dam 500-kV Switchyard, in Douglas County, Washington. A 500-kV substation (series compensation) would be included in the design. This type of substation has electrical devices that can increase the loading on a transmission line and reduce it on other lines. The substation would be located along the corridor. (3) BPA would construct a double-circuit, 500-kV transmission line between the same points.

The new 500-kV transmission line would be placed as much as possible on the existing ROW. The existing ROW from Bell Substation to Grand Coulee Dam is 122 meters (400 feet) wide in most places and has three 230-kV lines and two 115-kV wood pole lines within its boundaries. Constructing a new single- or double-circuit 500-kV line would change the 115-kV facilities along the corridor and at Bell and Grand Coulee Substations.

Environmental Issues:

PBA has identified and will discuss these potential environmental issues in the draft EIS: (1) Effects on fish and wildlife including threatened and endangered species; (2) socio-economic effects of removing property from the local tax base; (3) effects of construction and placement of structures in floodplains and wetlands; (4) acquisition of additional ROW; (5) concern over visual effects, noise, and other interference produced by transmission lines in populated areas; (6) impacts on range and agricultural resources due to construction and placement of structures; (7) concern about human exposure to electric and magnetic fields created by high-voltage transmission lines; (8) impacts to cultural resources on Federal, state, and private lands; (9) impacts to recreational resources; (10) conflicting land use; (11) impact to property values; and (12) energy conservation. Other issues identified through the scoping process will also be examined in the draft EIS.

Floodplain and Wetlands

In Spokane County, BPA's ROW heads west from Bell Substation and crosses the 100-year floodplain of a tributary of the Little Spokane River called Country Homes Drainage in section 18, Township 26 North, Range 43 East. As its name implies, this tributary functions as a drainage canal for the residential area of suburban Spokane called Country Homes Estates. West of the City of Spokane, within Riverside State Park, the ROW crosses the floodplain of the Spokane River in section 17, Township 26 North, Range 42 East. Also within the park, the ROW crosses the floodplain of two tributaries: Deep Creek in section 18, Township 26 North, Range 42 East; and Coulee Creek in sections 13 and 18, Township 26 North, Range 41 and 42 East, respectively. In Lincoln County, the 100-year floodplain of Stock and Hawk Creeks is crossed in sections 21 and 19, respectively, Township 26 North, Range 36 East. Closer to Grand Coulee, the ROW crosses the 100-year floodplain of Sherman Creek in section 25, Township 27 North, Range 33 East.

Small riparian and seasonal wetlands also occur within the 100-year floodplain of the Columbia and Spokane Rivers and their associated tributaries mentioned above. Additional isolated pockets of seasonally moist areas occur in section 20, Township 26 North, Range 40 East; sections 26 and 27 in Township 26 North, Range 38 East; sections 20, 21, 28, and 29 in township 26 North, Range 36 East; sections 20 and 21 in Township 26 North, Range 35 East; section 4 in Township 26 North, Range 34 East; section 30 in Township 28 North, Range 31 East; and sections 3, 10, 14, 23, and 24 in Township 28 North, Range 30 East. The ROW also crosses many seasonally flooded drainages and small creeks along the route.

All proposed facilities would be located as much as possible within existing ROW, with transmission line structures positioned to minimize impact on floodplains and wetlands.

In accordance with DOE regulations for compliance with floodplain and wetland environmental review requirements (10 CFR part 1022), DOE will prepare a floodplain and wetlands assessments for this proposed DOE action. The assessment and a floodplain statement of findings will be included in the environmental impact statement being prepared for the proposed project in accordance with the National Environmental Policy Act. Maps and further information are available from Mr. John Taves, Environmental Coordinator for Engineering, at the address shown above.

Issued in Portland, Oregon on July 16, 1993.

John S. Robertson,

Deputy Administrator.

[FR Doc. 93–17718 Filed 7–23–93; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. ER93–777–000, et al.]

Commonwealth Edison Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

Take notice that the following filings have been made with the Commission:

1. Commonwealth Edison Co.

[Docket No. ER93–777–000]

July 15, 1993.

Take notice that on July 8, 1993, Commonwealth Edison Company (Edison) tendered for filing its Transmission Service Tariff TS–1. Under the Tariff, Edison offers to make available Firm and Non-Firm transmission services limited to the receipt of power and energy from one adjacent Control Area and the transmission of such power and energy to another adjacent Control Area for the account of certain wholesalers of electric power or energy.

Copies of this filing were served upon the Illinois Commerce Commission and the electric utility companies operating outside of Edison's control area to which Edison is directly connected.

Comment date: July 29, 1993, in accordance with Standard Paragraph E end of this notice.

2. Arizona Public Service Co.

[Docket No. ER93–775–000]

July 15, 1993.

Take notice that on July 8, 1993, Arizona Public Service Company (APS) tendered for filing revised Exhibit B to the Wholesale Power Supply Agreement between Arizona Public Service Company (APS or Company) and Arizona Power Authority (APA) (APS–FPC Rate Schedule No. 59) and revised Exhibit B to the Wholesale Power Agreement between APS and Citizens Utilities Company (Citizens) (APS–FERC Rate Schedule No. 149) (collectively Exhibits and Agreements). The Exhibits list Contract Demands applicable under the Agreements.

No change to the rate and revenue levels currently on file with the Commission for the 12 months immediately after the proposed effective date is proposed herein.

No new facilities or modifications to existing facilities are required as a result of this revision.

A copy of this filing has been served on the Arizona Corporation Commission and also APA and Citizens (with copies of their respective Exhibits B only).

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

3. Connecticut Light and Power Co.

[Docket No. EL93–55–000]

July 15, 1993.

Take notice that on July 12, 1993, Connecticut Light and Power Company, Western Massachusetts Electric Company and Holyoke Water Power Company, electric utilities and operating subsidiaries of Northeast Utilities (NU), tendered for filing pursuant to Rule 207(a)(2) of the Commission's Rules of Practice and Procedure (18 CFR 385.207), a petition for issuance of a declaratory order concerning the constitutionality of section 16–243e of the Connecticut General Statutes (C.G.S. § 16–243e).

Comment date: August 2, 1993, in accordance with Standard Paragraph E at the end of this notice.

Northern States Power Co. (Minnesota) and Northern States Power Co. (Wisconsin)

Docket No. ER93–551–000]

July 15, 1993.

Take notice that on July 6, 1993, Northern States Power (NSP) tendered for filing an Amendment to its initial filing in Docket No. ER93–551–000. The Amendment provides a response to the Deficiency Letter dated June 4, 1993.

NSP again requests that the proposed rate schedule be accepted for filing effective June 1, 1993 to coincide with the terms of Amendment No. 6 to the Interconnection Agreement named above, and requests waiver of the Commission's notice requirements in order for the rate to be accepted for filing on the date requested.

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

5. Wisconsin Electric Power Co.

[Docket No. ER93–356–000]

July 15, 1993

Take notice that on July 6, 1993, Wisconsin Electric Power Company (Wisconsin Electric) tendered for filing revised cost support for its existing transmission rates in response to the Director of Application's deficiency letter dated June 3, 1993.

Wisconsin Electric requests an effective date of February 4, 1993, coincident with its filing of the four transmission service agreements that are the subject of this proceeding.

Copies of the filing have been served on The Wisconsin Public Power Inc. SYSTEM, the Michigan Public Service Commission and the Public Service Commission of Wisconsin.

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

6. Kansas Gas and Electric Co.

[Docket No. ER93–653–000]

July 15, 1993.

Take notice that on July 9, 1993, Kansas Gas and Electric Company (KG&E) tendered for filing an amendment to its May 18, 1993 filing in this docket concerning a change to its Federal Energy Regulatory Commission Electric Rate Schedule No. 182. KG&E states that the amendment is to reflect a change in the pricing provisions of Service Schedule SPP. The change is proposed to become effective June 1, 1993.

Copies of the filing were served upon the City of Girard, Kansas and the Kansas Corporation Commission.

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

7. Wisconsin Electric Power Co.

[Docket No. ER93–649–000]

July 15, 1993.

Take notice that Wisconsin Electric Power Company (Wisconsin Electric) on July 9, 1993 tendered for filing an amendment of its initial submittal in this docket. The amendment contains revised service schedules for Limited Term Power, Emergency Energy, Short Term Power, Maintenance Energy, General Purpose Energy, and Negotiated Capacity.

Wisconsin Electric renews its requested effective date of July 16, 1993, sixty days after its original tender date.

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

8. Florida Power Corp.

[Docket No. ER93–776–000]

July 15, 1993.

Take notice that on July 8, 1993, Florida Power Corporation filed a Supplemental Contract between it and the Southeastern Power Administration (SEPA). The Supplemental Contract provides for regulating service and opportunity sales by the Company to SEPA. It supplements a contract between Florida Power and SEPA dated July 19, 1957 for the sale, purchase, wheeling and firming of power from the Jim Woodruff reservoir project by providing for (a) regulating service by the Company for the second-to-second regulation for the output of the Jim Woodruff project; and (b) opportunity energy sales by Florida Power to SEPA for periods of not less than two hours nor more than seven days. SEPA has requested that these services begin on July 21, 1993. Florida Power therefore requests waiver of the 60-day notice requirement in order to enable the services to begin on that date.

Comment date: July 29, 1993, in accordance with Standard Paragraph E at the end of this notice.

9. Wholesale Power Services, Inc.

[Docket No. EL93–52–000]

July 15, 1993.

Take notice that on July 6, 1993, Wholesale Power Services, Inc. (WPS) filed a petition requesting an order declaring that The International Power Exchange (IPEX) satisfies the criteria established in *Entergy Services, Inc.*, 58 FERC ¶ 61,234 (1992) and subsequent cases for an electronic bulletin board that provides information on transmission capacity availability and price and the status of requests for transmission service.

Comment date: August 2, 1993, in accordance with Standard Paragraph E end of this notice.

10. Northern States Power Co. (Minnesota) and Northern States Power Co. (Wisconsin)

[Docket No. EL93–12–000]

July 15, 1993.

Take notice that on July 9, 1993 Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin) tendered for filing an amendment to its original filing filed in this docket on January 5, 1993.

Comment Date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

11. Midwest Power Systems Inc.

[Docket No. ER93–785–000]

July 16, 1993.

Take notice that on July 12, 1993, Midwest Power Systems Inc. (MPSI) tendered for filing a request for rate schedule cancellation. Subsequent to the merger of Iowa Power Inc. (IP) and Iowa Public Service Company (IPS), approved by the Commission in Docket No. EC92–5–000, all rate schedules were redesignated under MPSI.

Upon further review, MPSI determined that four duplicate service agreements that are with a common party were designated with different rate schedule numbers. MPSI is

requesting the cancellation of the following MPSI rate schedule numbers to eliminate this duplication:

	Rate schedule	Other party
1. MPSI	No. 36	Mid-Continent Area Power Pool.
2. MPSI	No. 41	Iowa-Illinois Gas & Electric.
3. MPSI	No. 44	Interstate Power.
4. MPSI	No. 48	Iowa Electric Light & Power.

Notice of the proposed cancellation has been served upon the Iowa Utilities Board, Iowa-Illinois Gas & Electric Company, Iowa Electric Light & Power Company, Iowa Southern Utilities, Interstate Power Company and Mid-Continent Area Power Pool.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

12. Washington Water Power Co.

[Docket No. ER93–774–000]

July 16, 1993.

Take notice that on July 8, 1993, the Washington Water Power Company (Washington) tendered for filing its annual rate adjustments for the purchase and sale of firm capacity and energy between Washington and Puget Sound Power & Light Company.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

13. Rayburn Electric Cooperative, Inc.

[Docket No. ER93–527–000]

July 16, 1993.

Take notice that on July 29, 1993, Rayburn Electric Cooperative, Inc. tendered for filing an amendment to its March 31, 1993 filing in this docket.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

14. Iowa Electric Light and Power Co.

[Docket No. ER93–638–000]

July 16, 1993.

Take notice that Iowa Electric Light and Power Company (Iowa Electric), on July 8, 1993, tendered for filing an Amendment to its May 10, 1993 filing in the above docket. The Amendment includes changes in the proposed fuel adjustment clause for resale electric service to comply with the Commission's regulations.

Copies of this filing have been sent to the Iowa State Utilities Board and to Iowa Electric's jurisdictional customers.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

15. Southwestern Public Service Co.

[Docket No. ER93–53–000]

July 16, 1993.

Take notice that on July 9, 1993, Southwestern Public Service Company (Southwestern) tendered for filing two proposed supplements to its rate schedule for service to Cap Rock Electric Cooperative, Inc. (Cap Rock).

The first proposed supplement provides for the assignment by Cap Rock to Southwestern of Cap Rock's rights and obligations under its lease agreement with John Hancock Mutual Life Insurance Company. Southwestern has agreed to grant to Cap Rock the right to use the facilities and pay a dedicated facilities charge based on the lease payments. The second supplement relates to the lease by Cap Rock of certain land properties to Southwestern and the sub-lease of these properties back to Cap Rock. Both of these supplements assist Cap Rock with procuring future financing for the construction of additional facilities on Cap Rock's system.

Comment date: August 2, 1993, in accordance with Standard Paragraph E at the end of this notice.

16. Northeast Utilities Service Co.

[Docket No. ER93–769–000]

July 16, 1993.

Take notice that on July 6, 1993, Northeast Utilities Service Company (NUSCO) tendered for filing a revised filing that responds to the Commission's May 14, 1993 order regarding an agreement, dated January 1, 1984, providing for the joint use of certain transmission and distribution facilities, by and among The Connecticut Light and Power Company, Western Massachusetts Electric Company, Holyoke Power and Electric Company and Holyoke Water Power Company. NUSCO requests that the agreement be made effective in accordance with its term.

NUSCO states that copies of the filing have been mailed to each utility affected thereby.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

17. Cambridge Electric Light Co. and Commonwealth Electric Co.

[Docket No. ER93–773–000]

July 16, 1993.

Take notice that on July 7, 1993, Cambridge Electric Light Company (Cambridge) and Commonwealth Electric Company (Commonwealth) (together COM/Electric) tendered for filing, pursuant to § 35.12 of the Commission's Regulations, as an initial rate schedule an exchange agreement among Cambridge, Commonwealth, New England Power Company (NEP) and Altresco Pittsfield, L.P. (Altresco) (the Exchange Agreement) governing the exchange of capacity and energy between NEP and COM/Electric. This capacity and related energy represents the minimum load of Altresco's 160 MW electric cogeneration facility in Pittsfield, Massachusetts (the Altresco Unit). The Altresco Unit has been designated a qualifying facility under 18 CFR 292.207.

Cambridge, Commonwealth and NEP each have agreements with Altresco for the net electric capacity and related energy to be produce by the Altresco Unit. The COM/Electric agreements provide that the Altresco Unit will be fully dispatchable. The Exchange Agreement provides Altresco with an acceptable substitute for its obligation to achieve full dispatchability thereby avoiding substantial investment in boiler plant to satisfy its steam host while at the same time assuring that COM/Electric and NEP maintain their capability obligations pursuant to the New England Power Pool Agreement.

The parties to the Exchange Agreement concur in this filing and have requested that the Commission waive its notice requirements pursuant to § 35.11 of its regulations for good cause shown and to permit the tendered agreement to become effective as proposed on September 1, 1993.

A copy of this filing has been served upon NEP, Altresco and upon the Massachusetts Department of Public Utilities.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

18. Delano Energy Company, Inc.

[Docket No. ER93–781–000]

July 16, 1993.

Take notice that on July 9, 1993, Delano Energy Company, Inc. submitted for filing, pursuant to Rule 207 of the Commission's Rules of Practice and Procedure, 18 CFR 385.207, an initial rate schedule for sales to Southern California Edison Company.

Comment date: July 30, 1993, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93–17621 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 1971–041 Idaho]

Idaho Power Co. and Hells Canyon Project; Availability of Environmental Assessment

July 20, 1993.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47910), the Office of Hydropower Licensing (OHL) reviewed the application for amendment of license to relocate the existing Pine Creek-Hells Canyon 69–KV transmission line outside of the Hells Canyon Park. The transmission line is approximately 22 miles long, extending from the Oxbow Powerplant to the Hells Canyon Dam. This relocation will involve approximately ½ mile of line. Idaho Power Company proposes to relocate the line at each end of the park where it crosses over the reservoir and at the boat ramp located at the park, to provide for boater safety. The project is located at the Hells Canyon Reservoir on the Snake River in Baker County and Adams County, Idaho. The staff of OHL's Division of Project Compliance and Administration prepared an Environmental Assessment (EA) for the proposed action. In the EA, the staff concludes that relocating the transmission line would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Reference and Information Center, room 3308, of the Commission's Offices at 941 North Capitol Street, NE., Washington, DC 20426.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17625 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD93–12841T Oklahoma–51]

State of Oklahoma; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

July 20, 1993.

Take notice that on July 16, 1993, the Corporation Commission of the State of Oklahoma (Oklahoma) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the Morrow-Springer Formation, underlying a portion of Blaine and Dewey Counties, Oklahoma, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The recommended area is described as follows:

Township 15 North, Range 13 West

(Blaine County)

Section 5: W/2
Section 8: W/2
Section 6: All
Section 17–18: All

Township 16 North, Range 13 West

(Blaine County)

Section 31: All

Township 16 North, Range 14 West

Section 36: All

The notice of determination also contains Oklahoma's findings that the referenced formation meets the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17626 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD93–12847T Oklahoma–50]

State of Oklahoma; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formations

July 20, 1993.

Take notice that on July 16, 1993, the Corporation Commission of the State of Oklahoma (Oklahoma) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the Hunton and Viola Formations, underlying a portion of Garvin County, Oklahoma, qualify as tight formations under section 107(b) of the Natural Gas Policy Act of 1978. The recommended area is described as the N/2 of Section 12, Township 4 North, Range 4 West, Garvin County, Oklahoma.

The notice of determination also contains Oklahoma's findings that the referenced formations meet the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR §§ 275.203 and 275.204, within 20 days after the date this is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17627 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD93–12843T Oklahoma–49]

State of Oklahoma; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

July 20, 1993.

Take notice that on July 16, 1993, the Corporation Commission of the State of Oklahoma (Oklahoma) submitted the above-referenced notice of determination pursuant to section 271.703(c)(3) of the Commission's regulations, that the Sycamore Formation, underlying a portion o McClain County, Oklahoma, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The recommended area is described as the E/2 of Section 30, Township 5 North, Range 4 West, McClain County, Oklahoma.

The notice of determination also contains Oklahoma's findings that the referenced formation meets the

requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17628 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 11187–002 Washington]

Cowlitz Basin 6 Limited Partnership; Surrender of Preliminary Permit

July 20, 1993.

Take notice that Cowlitz Basin 6 Limited Partnership, Permittee for the Williame Creek Project No. 11187, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 11187 was issued June 30, 1992, and would have expired May 31, 1995. The project would have been located in Gifford Pinchot National Forest, on Williame Creek, in Lewis County, Washington.

The Permittee filed the request on June 10, 1993, and the preliminary permit for Project No. 11187 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17629 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 11189–002 Washington]

Cowlitz Basin 8 Limited Partnership, Surrender of Preliminary Permit

July 20, 1993.

Take notice that Cowlitz Basin 8 Limited Partnership, Permittee for the Yellow Jacket Creek Project No. 11189, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 11189 was issued June 30, 1992, and would have expired May 31, 1995. The project would have been located in Gifford Pinchot National Forest, on Yellow Jacket Creek, in Lewis County, Washington.

The Permittee filed the request on June 10, 1993, and the preliminary permit for Project No. 11189 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17630 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 11190–002 Washington]

Cowlitz Basin 9 Limited Partnership; Surrender of Preliminary Permit

July 20, 1993.

Take notice that Cowlitz Basin 9 Limited Partnership, Permittee for the Greenhorn Creek Project No. 11190, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 11190 was issued June 30, 1992, and would have expired May 31, 1995. The project would have been located in Gifford Pinchot National Forest, on Greenhorn Creek, in Lewis County, Washington.

The Permittee filed the request on June 10, 1993, and the preliminary permit for Project No. 11190 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17631 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

Lewis Basin 6 Limited Partnership; Surrender of Preliminary Permit

July 20, 1993.

Take notice that Lewis Basin 6 Limited Partnership, Permittee for the Tillicum Creek Project No. 11258, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 11258 was issued June 29, 1992, and would have expired May 31, 1995. The project would have been located in Gifford Pinchot National Forest, on Tillicum Creek, in Skamania County, Washington.

The Permittee filed the request on June 10, 1993, and the preliminary permit for Project No. 11258 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17632 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–656–000]

Arizona Public Service Co; Filing

July 20, 1993.

Take notice that on June 22, 1993, Arizona Public Service Company (APS) tendered for filing supplemental information in APS original filing in this Docket.

Copies of this filing have been served upon Yuma Cogeneration Associates and the Arizona Corporation Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before July 30, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17633 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–786–000]

Boston Edison Co.; Filing

July 20, 1993.

Take notice that on July 13, 1993, Boston Edison Company (Edison) tendered for filing a Transmission Agreement with Altresco, Pittsfield L.P. (Altresco). The transmission Agreement specifies the amount and duration of transmission service required by Altresco to deliver its power to Cambridge Electric Light Company in Cambridge, Massachusetts.

Edison requests waiver of the Commission's notice requirements to permit the Transmission Agreement to become effective as of the commencement date of the transaction to which it relates, September 1, 1993.

Edison states that it has served the filing on Cambridge Electric Light Company and the Massachusetts Department of Public Utilities.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before August 4, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17634 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP93–559–000]

Colorado Interstate Gas Co.; Request Under Blanket Authorization

July 20, 1993.

Take notice that on July 16, 1993, Colorado Interstate Gas Company (CIG), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP93–559–000 a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to construct and operate facilities for the delivery of natural gas to Public Service Company of Colorado (PSCC), a local distribution company, under CIG's blanket certificate issued in Docket No. CP83–21–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

CIG proposes to construct and operate the Little Horse and Corral Gulch delivery facilities in Rio Blanco County, Colorado, for the delivery of up to 25,000 Mcf of gas per day to PSCC. It is stated that the facilities would be used for gas being transported by CIG and for use by PSSC in its system supply. It is explained that the facilities would be bi-directional and could be used for either receipt or delivery. The cost of installing the facilities is estimated at $639,000.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17622 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–313–000]

Niagara Mohawk Power Corp.; Filing

July 20, 1993.

Take notice that on June 23, 1993, Niagara Mohawk Power Corporation (Niagara Mohawk) tendered for filing an amendment to its Power Sales Tariff which provides for sales of system capacity and/or energy resource capacity and/or energy. The proposed Tariff requests interested purchasers to enter into a Service Agreement with Niagara Mohawk before transactions may commence under this Tariff.

Niagara Mohawk requests that its Tariffs be accepted for filing and allowed to become effective in accordance with its terms as specified. Information filed in support of the Tariff includes cost support for Niagara Mohawk's tariff ceiling rates and pricing terms that allow for the capacity and energy changes to be pro-rated for the duration of each sale. A copy of this filing has been served upon the New York State Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before July 30, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17635 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP93–542–000]

Northern Natural Gas Co.; Application

July 20, 1993.

Take notice that on July 8, 1993, Northern Natural Gas Company, 1111 South 103rd Street, Omaha, Nebraska 68124, filed in Docket No. CP93–542–000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon an exchange of natural gas service between Northern and K N Energy, Inc. (K N), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Northern proposes to abandon the sale and transportation service provided under the sale, exchange and transportation agreement (agreement) between K N and Northern dated June 5, 1974, as amended, under Northern's Rate Schedule X–48. Northern states that K N receives the volumes of natural gas from the Brown-Federal No. 1 in Fremont County, Wyoming (Brown-Federal No. 1) purchased by Northern. Under the terms of the agreement, K N had the option to purchase 25 percent of the natural gas received from Northern, it is stated. Northern states that K N redelivered the balance of the natural gas received from Northern, by exchange, at an existing point of interconnect between K N and Northern in Seward County, Kansas.

Northern states that it has terminated its purchase obligation for Brown-Federal No. 1 and pursuant to an

agreement dated June 24, 1993, Northern and K N have agreed to the termination of the agreement effective May 31, 1993. Northern states that K N has filed in Docket No. CP93–280–000 to abandon its corresponding authorization.

No facilities are proposed to be abandoned herein.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 19, 1993, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requriements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Northern to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17624 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. ER93–794–000]

Northeast Utilities Service Co.; Filing

July 20, 1993.

Take notice that on July 16, 1993, Northeast Utilities Service Company (NUSCO) tendered for filing a Service Agreement to provide non-firm transmission service to Consolidated Edison Company of New York, Inc. (Con Ed) under the NU System Companies' Transmission Service Tariff No. 2.

NUSCO states that a copy of this information has been mailed to Con Ed.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before August 4, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell

Secretary.

[FR Doc. 93–17636 Filed 7–23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP93–557–000]

Williams Natural Gas Co.; Request Under Blanket Authorization

July 20, 1993.

Take notice that on July 15, 1993, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP93–557–000 a request pursuant to §§ 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.216) for authorization to abandon by reclaim 19 miles of the Caney-Cambridge 12-inch lateral pipeline in Chautauqua County, Kansas, under WNG's blanket certificate issued in Docket No. CP82–479–000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

WNG states that it originally received authorization in Docket No. CP91–1016–000 to abandon the 12-inch line in place; however, several landowners have hit the line while working in their fields and have requested that WNG reclaim the line. Since the line is very shallow and in an effort to assist the landowners, WNG now proposes to reclaim the 19 miles of abandoned 12-inch lateral pipeline.

WNG states that the only cost associated with the reclaim of the 12-inch lateral will be supervision on the part of WNG, estimated to be $23,270. WNG also states that all other costs associated with the line were taken off the books in Docket No. CP91–1016–000.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 93–17623 Filed –23–93; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TX93–3–000]

Wisconsin Electric Power Co.; Filing

July 16, 1993.

Take notice that Wisconsin Electric Company (Wisconsin Electric) on June 6, 1993, tendered for filing a petition for an order directing for an order directing Upper Peninsula Power Company to provide firm transmission service to Wisconsin Electric's isolated Greenstone service area.

Wisconsin Electric requests an effective date of sixty days after filing.

Copies of the filing have been served on Upper Peninsula Power Company, the Michigan Public Service Commission, and the Public Service Commission of Wisconsin.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before August 10, 1993. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 93–17637 Filed 7–23–93; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–4682–5]

Acid Rain Program: Notice of Final Permit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final permit.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is issuing five-year Acid Rain permits, according to the Acid Rain Program regulations (40 CFR part 72), to the following 14 utility plants: Colbert and E C Gaston in Alabama, Bowen, Hammond and Yates in Georgia, E W Brown, Ghent, Green River, Paradise and Shawnee in Kentucky, and Allen, Cumberland, Gallatin and Johnsonville in Tennessee.

FOR FURTHER INFORMATION CONTACT: Brian Beals at (404) 347–5014. Air, Pesticides and Toxics Management Division, EPA Region 4, 345 Courtland Ave. NE., Atlanta, GA 30365.

Dated: July 19, 1993.

Brian McLean,

Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 93–17715 Filed 7–23–93; 8:45 am]

BILLING CODE [illegible]

[FRL–4682–7]

Public Water System Supervision Program Revision for the State of Ohio

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Public notice is hereby given in accordance with the provisions of section 1413 of the Safe Drinking Water Act, as amended, 42 U.S.C. 300g–2, and 40 CFR part 142, subpart B, the National Primary Drinking Water Regulations (NPDWR), that the State of Ohio is revising its Public Water System Supervision (PWSS) primacy program. The Ohio Environmental Protection Agency (OEPA) has adopted drinking water regulations for the treatment of total coliform bacteria (TC) that correspond to the NPDWR for TC promulgated by the United States Environmental Protection Agency (U.S. EPA) on June 29, 1989, (54 FR 27544). The U.S. EPA has completed its review of Ohio's primacy revision.

The U.S. EPA has determined that the current version of Ohio's primacy revision substantially meets the requirements of the Federal rule. However, there are some minor deficiencies which must be corrected before the U.S. EPA can grant approval. The changes needed to correct these minor deficiencies are written into a Memorandum of Agreement (MOA) between the U.S. EPA and Ohio (which is available at the State and U.S. EPA offices listed at the end of this notice). Ohio has agreed to incorporate these changes into its final regulations, which are scheduled to become effective no later than November 30, 1993. Upon notification that Ohio's revised regulations have become effective, the U.S. EPA will grant formal approval of Ohio's primacy revision without further solicitation of public input.

All interested parties are invited to submit written comments on this proposed determination, and request a public hearing on or before August 25, 1993. If a public hearing is requested and granted, the corresponding determination shall not become effective until such time, following the hearing, at which the Regional Administrator issues an order affirming or rescinding this action.

Please submit all comments and requests for a public hearing to William Spaulding (WD–17J), U. S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

If requests which indicate sufficient interest and/or significance are received by the end of the Notice period, a public hearing will be held. Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) A brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) The signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the Federal Register and in newspapers of general circulation in the State of Ohio. A notice will also be sent to the person(s) requesting the hearing as well as to the State of Ohio. The hearing notice will include a statement of purpose, information regarding the time and location, and the address and telephone number where interested persons may obtain further information. The Regional Administrator will issue an order affirming or rescinding his determination upon review of the hearing record. Should the determination be affirmed, it will become effective as of the date of the order.

Should no timely and appropriate request for a hearing be received, and the Regional Administrator does not elect to hold a hearing on his own motion, these determinations shall become effective on August 25, 1993.

Please bring this Notice to the attention of any persons known by you to have an interest in these determinations.

All documents relating to this determination are available for inspection between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, at the following offices:

Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, 1800 WaterMark Drive, Columbus, Ohio 43266–0149.

U.S. Environmental Protection Agency, Region 5, Safe Drinking Water Branch (WD–17J), 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: William D. Spaulding, Region 5, Drinking Water Section, at the Chicago address given above, telephone 312/886–9262.

Authority: Sec. 1413 of the Safe Drinking Water Act, as amended (1986), and 40 CFR 142.10 of the National Primary Drinking Water Regulations.

Signed this 15 day of July, 1993.

Valdas V. Adamkus,

Regional Administrator, U.S. EPA, Region 5.

[FR Doc. 93–17709 Filed 7–23–93; 8:45 am]

BILLING CODE [illegible]

[FRL–4682–6]

Colorado; Adequacy Determination of the State's Municipal Solid Waste Permit Program

AGENCY: Environmental Protection Agency (Region 8).

ACTION: Notice of tentative determination on application of the State of Colorado for full program

adequacy determination, public comment period and public hearing.

SUMMARY: Section 4005(c)(1)(B) of the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984, requires States to develop and implement permit programs to ensure that municipal solid waste landfills (MSWLFs) which may receive hazardous household waste or conditionally exempt small quantity generator waste will comply with the revised Federal MSWLF Criteria (40 CFR part 258). RCRA section 4005(c)(1)(C) requires the Environmental Protection Agency (EPA) to determine whether States have adequate "permit" programs for MSWLFs, but does not mandate issuance of a rule for such determinations. EPA has drafted and is in the process of proposing a State/Tribal Implementation Rule (STIR) that will provide procedures by which EPA will approve, or partially approve, State/Tribal landfill permit programs. The Agency intends to approve adequate State/Tribal MSWLF permit programs as applications are submitted. Thus, these approvals are not dependent on final promulgation of the STIR. Prior to promulgation of the STIR, adequacy determinations will be made based on the statutory authorities and requirements. In addition, States/Tribes may use the draft STIR as an aid in interpreting these requirements. The Agency believes that early approvals have an important benefit. Approved State/Tribe permit programs provide for interaction between the State/Tribe and the owner/operator regarding site-specific permit conditions. Only those owners/operators located in States/Tribes with approved permit programs can use the site-specific flexibility provided by part 258 to the extent the State/Tribal permit program allows such flexibility. EPA notes that regardless of the approval status of a State/Tribe and the permit status of any facility, the Federal landfill Criteria will apply to all permitted and unpermitted MSWLFs.

The State of Colorado applied for a determination of adequacy under section 4005 of RCRA. EPA reviewed Colorado's MSWLF application and made a tentative determination that all portions of Colorado's MSWLF permit program are adequate to assure compliance with the revised MSWLF Criteria. Colorado's application for program adequacy determination is available for public review and comment.

Although RCRA does not require EPA to hold a public hearing on a determination to approve any State/Tribe's MSWLF program, the Region has tentatively scheduled a public hearing on this determination. If a sufficient number of people express interest in participating in a hearing by writing the Region or calling the contact given below within 30 days of the date of publication of this notice, the Region will hold a hearing on the date given below in the "**DATES**" section. The Region will notify all persons who submit comments on this notice if it decides to hold the hearing. In addition, anyone who wishes to learn whether the hearing will be held may call the person listed in the "**FOR FURTHER INFORMATION CONTACT**" section below.

DATES: All comments on Colorado's application for a determination of adequacy must be received by the close of business on September 13, 1993. The public hearing is tentatively scheduled for 10 a.m. to 12 noon, September 13, 1993, at the U.S. EPA Region 8 Conference Center, 999 18th Street, Second Floor, Denver, Colorado, 80202–2466. Should a hearing be held, EPA may limit oral testimony to five minutes per speaker, depending on the number of commenters. Commenters presenting oral testimony must also submit their comments in writing by close of business on September 13, 1993. The hearing may adjourn earlier than 12 noon if all of the speakers deliver their comments before that hour. Colorado will participate in the public hearing held by EPA on this subject.

ADDRESSES: Copies of Colorado's application for adequacy determination are available from 8 a.m. to 4 p.m. at the following addresses for inspection and copying: Colorado Department of Health, Hazardous Materials and Waste Management Division, Information Services Center, 4300 Cherry Creek Drive South, Denver, Colorado, 80222–1530, telephone (303) 692–3312; and U.S. EPA Region 8 Library, 999 18th Street, suite 215, Denver, Colorado, 80202–2466, telephone (303) 293–1444. Written comments should be sent to Ms. Judith Wong, Mail Code 8HWM-WM, U.S. EPA Region 8, 999 18th Street, suite 500, Denver, Colorado, 80202–2466.

FOR FURTHER INFORMATION CONTACT: Judith Wong, Mail Code 8HWM–WM, Waste Management Branch, U.S. EPA Region 8, 999 18th Street, Denver, Colorado, 80202–2466, telephone (303) 293–1667.

SUPPLEMENTARY INFORMATION:

A. Background

On October 9, 1991, EPA promulgated revised Criteria for MSWLFs (40 CFR part 258). Subtitle D of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), requires States to develop permitting programs to ensure that MSWLFs comply with the Federal Criteria under part 258. Subtitle D also requires in section 4005 that EPA determine the adequacy of State municipal solid waste landfill permit programs to ensure that facilities comply with the revised Federal Criteria. To fulfill this requirement, the Agency has drafted and is in the process of proposing a State/Tribal Implementation Rule (STIR). The rule will specify the requirements which State/Tribal programs must satisfy to be determined adequate.

EPA intends to approve State/Tribal MSWLF permit programs prior to the promulgation of the STIR. EPA interprets the requirements for States or Tribes to develop "adequate" programs for permits or other forms of prior approval to impose several minimum requirements. First, each State/Tribe must have enforceable standards for new and existing MSWLFs that are technically comparable to EPA's revised MSWLF criteria. Next, the State/Tribe must have the authority to issue a permit or other notice of prior approval to all new and existing MSWLFs in its jurisdiction. The State/Tribe also must provide for public participation in permit issuance and enforcement as required in section 7004(b) of RCRA. Finally, EPA believes that the State/Tribe must show that it has sufficient compliance monitoring and enforcement authorities to take specific action against any owner or operator that fails to comply with an approved MSWLF program.

EPA Regions will determine whether a State/Tribe has submitted an "adequate" program based on the interpretation outlined above. EPA plans to provide more specific criteria for this evaluation when it proposes the State/Tribal Implementation Rule. EPA expects States/Tribes to meet all of these requirements for all elements of a MSWLF program before it gives full approval to a MSWLF program.

B. State of Colorado

On May 24, 1993, the State of Colorado submitted an application for adequacy determination. EPA reviewed Colorado's application and tentatively determined that all portions of the Colorado's Subtitle D program will ensure compliance with the revised Federal Criteria.

Although RCRA does not require EPA to hold a public hearing on a determination to approve any State/

Tribe's MSWLF program, the Region has tentatively scheduled a public hearing on this determination. If a sufficient number of people express interest in participating in a hearing by writing the Region or calling the contact within 30 days of the publication of this notice, the Region will hold a hearing on September 13, 1993, at the U.S. EPA Region 8 Conference Center, 999 18th Street, Second Floor, Denver, Colorado, 80202–2466.

Colorado has not asserted jurisdiction within the exterior boundaries of Indian reservations in its application for adequacy determination. Accordingly, this approval does not extend to lands within Indian reservations in Colorado. Until EPA approves a State or Tribal MSWLF permitting program in Colorado for any part of "Indian Country," as defined in 18 U.S.C. 1151, the requirements of 40 CFR part 258 will, after October 9, 1993, automatically apply to that area. Thereafter, the requirements of 40 CFR part 258 will apply to all owners/operators of MSWLFs located in any part of "Indian Country" that is not covered by an approved State or Tribal MSWLF permitting program.

EPA will consider all public comments on its tentative determination received during the public comment period and during any public hearing held. Issues raised by those comments may be the basis for a determination of inadequacy for State of Colorado's program. EPA will make a final decision on whether or not to approve Colorado's program by October 9, 1993, and will give notice of it in the Federal Register. The notice will include a summary of the reasons for the final determination and a response to all major comments.

Section 4005(a) of RCRA provides that citizens may use the citizen suit provisions of section 7002 of RCRA to enforce the Federal MSWLF criteria in 40 CFR part 258 independent of any State/Tribal enforcement program. As EPA explained in the preamble to the final MSWLF criteria, EPA expects that any owner or operator complying with provisions in a State/Tribal program approved by EPA should be considered to be in compliance with the Federal Criteria. See 56 FR 50978, 50995 (October 9, 1991).

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this notice from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. It does not impose any new burdens on small entities. This notice, therefore, does not require a regulatory flexibility analysis.

Authority: This notice is issued under the authority of section 4005 of the Solid Waste Disposal Act as amended; 42 U.S.C. 6946.

Dated: July 16, 1993.

Jack W. McGraw,

Acting Regional Administrator.

[FR Doc. 93–17712 Filed 7–23–93; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

July 19, 1993.

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of these submissions may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW., suite 140, Washington, DC 20037, (202) 857–3800. For further information on these submissions contact Judy Boley, Federal Communications Commission, (202) 632–0276. Persons wishing to comment on these information collections should contact Jonas Neihardt, Office of Management and Budget, Room 3235 NEOB, Washington, DC 20503, (202) 395–4814.

OMB Number: 3060–0126
Title: Section 73.1820, Station Log
Action: Extension of a currently approved collection
Respondents: Non-profit institutions, businesses or other for-profit (including small businesses)
Frequency of Response: Recordkeeping requirement
Estimated Annual Burden: 13,350 recordkeepers; 0.93 hours average burden per recordkeeper; 12,416 hours total annual burden
Needs and Uses: Section 73.1820 requires that each licensee of an AM, FM or TV broadcasts station maintain a station log. Each entry must accurately reflect the station's operation. This log should reflect adjustment to operating parameters for AM stations with directional antennas without an approved sampling system; for all stations the actual time of any observation of extinguishment or improper operation of tower lights; and entry of each test of the Emergency Broadcast System (EBS) for commercial stations. The data is used by FCC staff to assure that the licensee is operating in accordance with the technical requirements as specified in the FCC rules with the station authorization, and is taking reasonable measures to preclude interference to other stations. It is also used to verify that the EBS is operating properly.

OMB Number: 3060–0055
Title: Application for Cable Television Relay Service Station Authorization
Form Number: FCC Form 327
Action: Revision of a currently approved collection
Respondents: Individuals or households, state or local governments, non-profit institutions, and businesses or other for-profit (including small businesses)
Frequency of Response: On occasion reporting requirement
Estimated Annual Burden: 14,000 responses; 3.166 hours average burden per response; 4,432 hours total annual burden per response
Needs and Uses: FCC Form 327 is used by Cable Television owners or operators, cooperative enterprises owned by Cable TV owners or operators and MMDS operators (wireless cable TV operators) when applying for Cable TV Relay Service (CARS) Station, Modification of License, Reinstatement, Amendment, Transfer of Control, Assignment of License, and Renewal of License. The form is being revised to include information regarding fees. In addition, a question was revised to advise MMDS applicants of the need to submit a copy of their MMDS license and/or their MMDS/ITFS lease agreements. The data is used by FCC staff to determine whether the applicant meets basic statutory requirements and is qualified to become or continue as a Commission licensee.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 93–17605 Filed 7–23–93; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

July 20, 1993.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW., suite 140, Washington, DC 20037, (202) 857–3800. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632–0276. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395–4814.

Please note: The Commission has requested expedited review of this item by August 3, 1993, under the provisions of 5 CFR 1320.18.

OMB Number: 3060–0536.

Title: Rules and Requirements for Telecommunications Relay Services (TRS) Interstate Cost Recovery.

Form Number: FCC Form 431.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit.

Frequency of Response: Annually and on occasion reporting requirement.

Estimated Annual Burden: 5,000 responses; 9.266 hours average burden per response; 46,330 hours total annual burden.

Needs and Uses: The rules and requirements contained in the Third Report and Order, CC Docket No. 90–571, implement the shared-funding program for recovery of interstate TRS costs. All interstate service providers must contribute to the TRS fund. The collections of information set forth in the final rules are essential to the implementation of certain provisions of the Americans with Disabilities Act of 1990, (ADA). The attached Third Report and Order amends the Commission rules to provide that interstate telecommunications relay services costs shall be recovered utilizing a shared-funding mechanism pursuant to the rules and requirements contained in Appendix B. Brief descriptions of the information collections are provided. The National Exchange Carrier Association, Inc. (NECA) will serve as interim administer of the TRS Fund. NECA's performance and the TRS Fund plan will be reviewed after two years. The administrator will be subject to a yearly audit by an independent certified accounting form and by the Commission. Pursuant to § 64.604(c)(iii)(h), the TRS Fund administrator must report annually to the Commission its administrative costs associated with the administration of TRS Fund and file a cost allocation manual. TRS formulas and revenue requirements must be filed with the Commission on October 1 each year. The administrator must establish a non-paid, voluntary advisory committee of persons from the hearing and speech disability community, TRS users, interstate service providers, state representatives, and TRS providers which will meet at reasonable intervals in order to monitor TRS cost recovery matters. The annual report to the Commission must include a discussion of advisory committee deliberations. Information submitted in response to the attached rules and requirements will be used to administer the TRS Fund. Information will be used to calculate a national average rate to recover the total interstate TRS revenue requirements and to determine the appropriate payment due to TRS providers participating in the shared-funding plan.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 93–17801 Filed 7–23–93; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–997–DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois, (FEMA–997–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: July 19, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Illinois dated July 9, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 9, 1993.

Boone, Lake, McHenry, Stephenson, and Winnebago for Public Assistance. (Already designated for Individual Assistance).

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance).

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17685 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–997–DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois, (FEMA–997–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: July 17, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Illinois, dated July 9, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 9, 1993:

Alexander, Jackson, Randolph, and Union Counties for Individual Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17724 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–997–DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois, (FEMA–997–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: July 15, 1993.

FOR FURTHER INFORMATION CONTACT:

Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Illinois, dated July 9, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 9, 1993:

Adams, Calhoun, Carroll, Jersey, Jo Daviess, Hancock, Henderson, Henry, Madison, Monroe, Mercer, Pike, Rock Island, St. Clair, Whiteside for Public Assistance. (Already designated for Individual Assistance.)

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17725 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–993–DR]

Minnesota; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Minnesota, (FEMA–993–DR), dated June 11, 1993, and related determinations.

EFFECTIVE DATE: July 19, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Minnesota, dated June 11, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 11, 1993:

The counties of Big Stone, Clay, Stevens, Swift and Traverse for Individual Assistance and Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17686 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–995–DR]

Missouri; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Missouri, (FEMA–995–DR), dated July 9, 1993, and related determinations.

EFFECTIVE DATE: July 20, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Missouri dated July 9, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 9, 1993:

The counties of Atchison, Carroll, Cole, Holt, Jefferson, Lincoln, Marion, Pike, Ralls, Ray, St. Charles, Ste. Genevieve, and St. Louis and St. Louis City for Public Assistance. (Already designated for Individual Assistance.)

The city of Jefferson City for Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17688 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

[FEMA–994–DR]

Wisconsin; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Wisconsin, (FEMA–994–DR), dated July 2, 1993, and related determinations.

EFFECTIVE DATE: July 20, 1993.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Wisconsin dated July 2, 1993, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 2, 1993:

The counties of Buffalo, Crawford, Dane, Dunn, Grant, Green, Iowa, La Crosse, Lafayette, Pierce, Price, Rusk, Sauk, St. Croix, Vernon, and Waupaca for Public Assistance. (Already designated for Individual Assistance).

The counties of Dodge, Jefferson, Kneosha, Milwaukee, and Racine for individual Assistance and Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance.)

Richard W. Krimm,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 93–17687 Filed 7–23–93; 8:45 am]

BILLING CODE 6718–02–M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed; Greece/USA Rate Agreement

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 800 North Capitol Street, NW., 9th Floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202–011423.
Title: Greece/USA Rate Agreement.
Parties:
Farrell Lines, Inc.
"Italia" de Navigazione, S.p.A.
P&O Containers Limited
Sea-Land Service, Inc.
Zim Israel Navigation Company, Ltd.

Synopsis: The proposed Agreement would permit the parties to discuss and agree upon rules, rates, charges and other transportation matters pertaining to the movement of cargo from ports and points in Greece, Macedonia, Montenegro, Serbia, Bosnia-Herecegovina, Bulgaria, and Albania to ports and points in the United States.

Agreement No.: 224–200791.
Title: The Port Authority of New York & New Jersey/United Arab Agencies, Inc. Container Incentive Agreement.

Parties:

The Port Authority of New York & New Jersey ("Port")

United Arab Agencies, Inc. ("UAAI")

Synopsis: The Agreement provides for the Port to pay UAAI a container incentive of $20.00 for each import container and $40.00 for each export container moved through the Port's marine terminals during calendar year 1993, provided each container is shipped by rail to or from points more than 260 miles from the Port.

Dated: July 20, 1993.

By order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 93–17600 Filed 7–23–93; 8:45 am]

BILLING CODE 6730–01–M

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR part 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC 20573.

Eagle Freight Services, Inc., 534 Eccles Avenue, So. San Francisco, CA 94080, Officers: Raymond W. Wilson, President/Director Arthur F. Mesa, Vice Pres./CEO/Dir./Stockh. Craig R. Patterson, V. Pres./Dir./Stockh.

Transmar, Inc., 18181/2 Broadway Street, New Orleans, LA 70118, Officers: Elda Mariella Ruiz Castro, CEO/Director, Daniel Castrol, President/Director

Fivestar Express (U.S.A.) Inc., 1044 N. Dodsworth Ave., Covina, CA 91724, Officer: Jyh Yeong Hsieh, President/Director

US International Forwarders, 9445 Concourse Dr., #354, Houston, TX 77036, Tobias G. Ogu, Sole Proprietor

Canor Air Freight Forwarders, Inc., 7080 NW 50th Street, Miami, FL 33166, Officers: Blancalicia Doyle, President, Zamira Isabel Pereira, Vice President

Meyer Shipping Corp., 5610 18th Avenue, Brooklyn, NY 11204, officer: Israel Meyer, President

Clover International, Inc., 15431 Vantage Parkway West, Ste. 200, Houston, TX 77032, Officers: Luis Angel Ricon, Pres./Treas./Secr., Ana H. Pena, Asst. Secretary

Luma International Forwarding, Inc., 354 North Royal Ponciana Blvd., Miami, FL 33166, Officers: Luz Carvajal, President/V. President Matilda Morales, Secretary

Venymex Shipping Company, 1314 Texas Avenue, Ste. 1506, Houston, TX 77002, Officers: Hector Garza, Pres./Treas./Dir./Stockh. Yolanda Garaza, V. Pres./Sec./Dir./Stockh.

By the Federal Maritime Commission.

Dated: July 21, 1993.

Joseph C. Polking,

Secretary.

[FR Doc. 93–17691 Filed 7–23–93; 8:45 am]

BILLING CODE 6730–01–M

Performance Review Board

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given of the names of the members of the Performance Review Board.

FOR FURTHER INFORMATION CONTACT: William J. Herron, Jr., Director of Personnel, Federal Maritime Commission, 800 North Capitol Street, Washington, DC 20573.

SUPPLEMENTARY INFORMATION: Section 4314(c) (1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The board shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

William D. Hathaway,

Chairman.

The members of the Performance Review Board are:

1. Ming Chen Hsu, Commissioner
2. Francis J. Ivancie, Commissioner
3. Norman D. Kline, Chief Administrative Law Judge
4. Frederick M. Dolan, Jr., Administrative Law Judge
5. Charles E. Morgan, Administrative Law Judge
6. Robert D. Bourgoin, General Counsel
7. Joseph C. Polking, Secretary
8. Edward P. Walsh, Managing Director
9. Bruce A. Dombrowski, Deputy Managing Director
10. John Robert Ewers, Deputy Managing Director
11. Seymour Glanzer, Director, Bureau of Hearing Counsel
12. Norman W. Littlejohn, Director, Bureau of Administration
13. Austin L. Schmitt, Director, Bureau of Trade Monitoring and Analysis
14. Wm. Jarrel Smith, Jr., Director, Bureau of Investigations
15. Bryant L. VanBrakle, Director, Bureau of Tariffs, Certification and Licensing

[FR Doc. 93–17601 Filed 7–23–93; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Bluestem Financial Corp., et al.; Notice of Applications to Engage de novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 16, 1993.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Bluestem Financial Corp., Fairbury, Illinois; to engage *de novo* through its subsidiary, Bluestem Financial Services, Inc., Fairbury, Illinois, in investment or financial advice and consumer financial counseling pursuant to § 225.25(b)(4)(iii), (b)(4)(iv), (b)(4)(v) and (b)(20) of the Board's Regulation Y.

B. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 400

South Akard Street, Dallas, Texas 75222:

1. First Texas Bancorp, Inc., Georgetown, Texas; to engage *de novo* through its subsidiary, First Texas Development Corporation, Georgetown, Texas, in making and/or servicing loans for itself or for others of the type made by a mortgage company pursuant to § 225.25(b)(1) of the Board's Regulation Y. These activities will be conducted in the State of Texas.

Board of Governors of the Federal Reserve System, July 20, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–17670 Filed 7–23–93; 8:45 am]

BILLING CODE 6210-01-F

CCB Financial Corporation, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than August 19, 1993.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. CCB Financial Corporation, Durham, North Carolina; to acquire 100 percent of the voting shares of Shelby Savings Bank, SSB, Shelby, North Carolina.

B. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. AmSouth Bancorporation, Birmingham, Alabama; to merge with Orange Banking Corporation, Orlando, Florida, and thereby indirectly acquire Orange Bank, Orlando, Florida.

C. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Bank of Montreal, Montreal, Canada; Bankmont Financial Corp., New York, New York; and Harris Bankcorp, Inc., Chicago, Illinois; to acquire 22.6 percent of the voting shares of City Bancshares, Inc., Oklahoma City, Oklahoma, and thereby indirectly acquire City Bank and Trust Company.

2. Quick Bancorp, Inc., McClelland, Iowa; to become a bank holding company by acquiring 100 percent of the voting shares of Peoples National Bank, Council Bluffs, Iowa.

Board of Governors of the Federal Reserve System, July 20, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–17671 Filed 7–23–93; 8:45 am]

BILLING CODE 6210-01-F

Crestar Financial Corporation; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 9, 1993.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. Crestar Financial Corporation, Richmond, Virginia; to acquire Internet, Inc., Reston, Virginia, and thereby engage in providing electronic network and switching services pursuant to § 225.25(b)(7) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, July 20, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–17672 Filed 7–23–93; 8:45 am]

BILLING CODE 6210-01-F

Robert Timothy Monnig, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than August 16, 1993.

A. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Robert Timothy Monnig and Carol Ann Monnig, to acquire an additional 1.9 percent for a total of 12.9 percent; Thomas Henry Monnig and Natalie Ann Monnig, to acquire an additional 1.9 percent for a total of 8.6 percent; and

John Joseph Monnig and Jennifer Ann Monnig to acquire an additional 1.9 percent for a total of 9.5 percent of the voting shares of Bancshares of Glasgow, Glasgow, Missouri, and thereby indirectly acquire Tri-County Trust Company, Glasgow, Missouri. All acquiring parties are from Glasgow, Missouri.

B. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. Benjamin Namatinia, Portland, Oregon; to acquire 10 percent of the voting shares of Cowlitz Bancorporation, Longview, Washington, and thereby indirectly acquire The Cowlitz Bank, Longview, Washington.

Board of Governors of the Federal Reserve System, July 20, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93–17673 Filed 7–23–93; 8:45 am]

BILLING CODE 6210-01-F

GENERAL SERVICES ADMINISTRATION

Information Resources Management Service

Federal Telecommunications Standards

ACTION: Notice of adoption of standard.

SUMMARY: The purpose of this notice is to announce the adoption of a Federal Telecommunications Standard (FED–STD). FED–STD 1049, "Telecommunications: HF Radio Automatic Operation in Stressed Environments, Section 1: Linking Protection" is approved and will be published.

FOR FURTHER INFORMATION CONTACT: Mr. Robert T. Adair, Institute for Telecommunication Sciences, National Telecommunications and Information Administration, telephone (303) 497–3723.

SUPPLEMENTARY INFORMATION:

1. The general Services Administration (GSA) is responsible, under the provisions of the Federal Property and Administrative Services Act of 1949, as amended, for the Federal Standardization Program. On August 14, 1972, the Administrator of GSA designated the National Communications System (NCS) as the responsible agent for the development of telecommunications standards for NCS interoperability and the non-computer communication interface.

2. On March 13, 1992, a notice was published in the **Federal Register** (57 FR 50) that a proposed Federal Telecommunications Standard 1049 entitled "Telecommunications: HF Radio Automatic Operation in Stressed Environments, Section 1: Linking Protection" was being proposed for Federal use.

3. The justification package as approved by the Deputy Assistant Secretary of Defense (Defense-wide C3), Office of the Assistant Secretary of Defense was presented to GSA by NCS with a recommendation for adoption of the standard. These data are a part of the public record and are available for inspection and copying at the Office of Technology and Standards, National Communications System, Washington, DC 20305–2010.

4. A copy of the standard is provided as an attachment to this notice. Interested parties may purchase the standard from GSA, acting as agent for the Superintendent of Documents. Copies are for sale at the GSA Federal Supply Service Bureau (FSSB), Specifications Section, suite 8100, 490 East L'Enfant Plaza SW., Washington, DC 20407; telephone (202) 755–0325.

Dated: May 14, 1993.

G. Martin Wagner,

Acting Commissioner.

FED–STD 1049

Federal Standard Telecommunications: HF Radio Automatic Operation in Stressed Environments, Section 1: Linking Protection

1. *Scope.* The terms and accompanying definitions contained in this standard are drawn from authoritative non-Government sources such as the International Telecommunication Union, the International Organization for Standardization, the Telecommunications Industry Association, and the American National Standards Institute, as well as from numerous authoritative U.S. Government publications. The Federal Telecommunications Standards Committee (FTSC) HF Radio Standards Development Working Group (SDWG) developed a family of High Frequency Automatic Link Establishment (ALE) specifications that defines the necessary technical parameters for automatic link establishment for HF radio connections. Federal Standard 1049/1 is one of the family of standards to be used in conjunction with the interoperability criteria for HF radio automatic operation.

1.1. Applicability. All federal departments and agencies shall use Federal Standard 1049/1 as the authoritative source of definitions for terms used in the preparation of all telecommunications documentation. The use of this standard by all Federal departments and agencies is mandatory.

1.2. Purpose. The purpose of this standard is to improve the Federal acquisition process by providing Federal departments and agencies a comprehensive, authoritative source of definitions of terms and link protection parameters, and to prevent the establishment of unauthorized HF radio links or the unauthorized manipulation of legitimate HF radio automatic link establishment.

2. *Requirements and Applicable Documents.* The HF radio terms and definitions constitute this standard, and are to be applied to the design and procurement of ALE automated radio equipment requiring operations in stressed environments. There are a family of Federal Telecommunications Standards and proposed HF radio automatic link establishment standards that may be applicable to implementation of this standard and these are listed in the standard.

3. *Use.* All Federal departments and agencies shall use this standard in the design and procurement of ASLE automated radio equipment. Only after determining that a requirement is not included in this document may other sources be used.

4. *Effective Date.* The use of this approved standard by U.S. government departments and agencies is mandatory, effective 180 days following the publication date of this standard.

5. *Changes.* When a Federal department or agency considers that this standard does not provide for its essential needs, a statement citing inadequacies shall be sent in duplicate to the General Services Administration (KMR), Washington, DC 20405, in accordance with the provisions of the Federal Information Resources Management Regulation, Subpart 201–20.3. The General Services Administration will determine the appropriate action to be taken and will notify the agency.

Federal departments and agencies are encouraged to submit updates and corrections to this standard, which will be considered for the next revision of this standard. The General Services Administration has delegated the compilation of suggested changes to the National Communications System whose address is given below: Office of the Manager, National Communications System, Office of Technology and Standards, Washington, DC 20305–2010.

[FR Doc. 93–17650 Filed 7–23–93; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

CDC Advisory Committee on the Prevention of HIV Infection, Subcommittee on Developing Partnerships for HIV Prevention; Request for Comments

AGENCY: Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

ACTION: Request for comments.

SUMMARY: A subcommittee to the CDC Advisory Committee on the Prevention

of HIV Infection (CDC ACPHI) has been established to conduct a review and evaluation of CDC's HIV prevention partnerships. The Subcommittee on Developing Partnerships for HIV Prevention has enlisted the assistance of a number of experts in identifying the areas to be addressed in the review process.

During public meetings held in May, June, and July 1993, the subcommittee and consultants reviewed the type, extent, and quality of partnerships between CDC and nongovernmental organizations in planning and implementing comprehensive HIV prevention programs.

In order to assure the broadest possible input into this process, the CDC ACPHI requests comments from interested parties on the following questions:

(1) What can CDC do to promote and/or enhance HIV prevention partnerships among CDC, targeted populations, NGOs, and state and local health departments?

(2) What are the effective characteristics of these partnerships? (How are roles differentiated?)

(3) What should CDC do to best assess and meet the diverse technical assistance needs of NGOs, and state and local health departments?

(4) What should CDC do to further integrate HIV/STD/TB/Substance Abuse prevention activities?

DATES: Please provide written comments by August 25, 1993.

ADDRESSES: Comments should be addressed to: Chair, CDC Advisory Committee on the Prevention of HIV Infection, c/o Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Connie Granoff, Committee Assistant, Office of the Associate Director for HIV/AIDS, CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918.

Dated: July 19, 1993.

Ladene H. Newton,

Acting Associate Director for Management and Operations Centers for Disease Control and Prevention (CDC).

[FR Doc. 93–17658 Filed 7–23–93; 8:45 am]

BILLING CODE 4160–18–P

CDC Advisory Committee on the Prevention of HIV Infection, Subcommittee on Improving Public Understanding of the HIV Epidemic; Request for Comments

AGENCY: Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

ACTION: Request for comments.

SUMMARY: A subcommittee to the CDC Advisory Committee on the Prevention of HIV Infection (CDC ACPHI) has been established to conduct a review and evaluation of CDC's HIV public information activities. The Subcommittee on Improving Public Understanding of the HIV Epidemic has enlisted the assistance of a number of experts in identifying the areas to be addressed in the review process.

During public meetings held in May and June 1993, the subcommittee examined four issues that are central to the success of CDC's public information activities: Vision, intended audiences, systems, and evaluation.

In order to assure the broadest possible input into this review process, the CDC ACPHI requests comments from interested parties on the following questions:

(1) What role can communications play in the public's understanding of HIV?

(2) What groups need to be reached through communications?

(3) What infrastructure is needed to coordinate the activities of CDC, its grantees, and the larger community?

(4) How will success be measured?

DATES: Please provide written comments by August 25, 1993.

ADDRESSES: Comments should be addressed to: Chair, CDC Advisory Committee on the Prevention of HIV Infection, c/o Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Connie Granoff, Committee Assistant, Office of the Associate Director for HIV/AIDS, CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918.

Dated: July 19, 1993.

Ladene H. Newton,

Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).

[FR Doc. 93–17661 Filed 7–23–93; 8:45 am]

BILLING CODE 4160–18–P

CDC Advisory Committee on the Prevention of HIV Infection, Subcommittee on Monitoring the HIV/AIDS Epidemic; Request for Comments

AGENCY: Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

ACTION: Request for comments.

SUMMARY: A subcommittee to the CDC Advisory Committee on the Prevention of HIV Infection (CDC ACPHI) has been established to conduct a review and evaluation of CDC's HIV surveillance activities. The Subcommittee on Monitoring the HIV/AIDS Epidemic has enlisted the assistance of a number of experts in identifying the areas to be addressed in the review process.

During meetings in April, July, and September 1993, the subcommittee is examining CDC efforts to assess (1) sexual and drug-use behavior associated with HIV transmission, (2) occupational exposures associated with HIV transmission, and (3) HIV infection and associated morbidity and mortality.

In order to assure the broadest possible input into this review process, the CDC ACPHI requests comments from interested parties on these surveillance elements. In considering these monitoring activities, the following questions should be addressed:

(1) What are the critical information needs of public health agencies that can be met through surveillance systems, in order to:

a. Assess the HIV epidemic, including sexual and drug-use behaviors associated with HIV transmission, occupational exposures to HIV, and HIV infections and resulting diseases,

b. Target programs to improve services for at-risk and infected populations,

c. Link at-risk and infected persons to ongoing services,

d. Evaluate the effectiveness of prevention programs (including prevention of new infections and prevention of complications in infected persons)?

(2) How do information needs differ for local, state, and national agencies? What is the most effective way for surveillance systems to meet these multiple needs, protect the confidentiality of at-risk or infected individuals, and promote the delivery of preventive health services?

DATES: Please provide written comments by August 25, 1993.

ADDRESSES: Comments should be addressed to: Chair, CDC Advisory Committee on the Prevention of HIV

Infection, c/o Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Connie Granoff, Committee Assistant, Office of the Associate Director for HIV/AIDS, CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918.

Dated: July 19, 1993.

Ladene H. Newton,

Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).

[FR Doc. 93–17662 Filed 7–23–93; 8:45 am]

BILLING CODE 4160–18–P

CDC Advisory Committee on the Prevention of HIV Infection, Subcommittee on Preventing Risk Behaviors Among School Students; Request for Comments

AGENCY: Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

ACTION: Request for comments.

SUMMARY: A subcommittee to the CDC Advisory Committee on the Prevention of HIV Infection (CDC ACPHI) has been established to conduct a review and evaluation of CDC's HIV prevention programs directed toward school students. The Subcommittee on Preventing Risk Behaviors Among School Students has enlisted the assistance of a number of experts in identifying the areas to be addressed in the review process.

During meetings in June, July, and September 1993, the subcommittee is examining CDC efforts to reduce behaviors among the school-aged population that place them at risk of HIV infection.

In order to assure the broadest possible input into this review process, the CDC ACPHI requests comments from interested parties on the following questions:

1. What are the best ways for CDC to maintain a particular focus on HIV prevention among young people while promoting comprehensive school-based and community-based prevention strategies?

2. What future strategies could CDC employ to forge stronger linkages between the fields of health and education at the state and local levels in both policy and practice?

3. Many Federal programs aim to prevent HIV infection and other important health problems among young people. What more, if anything, should CDC do to better coordinate these efforts within CDC as well as with other Federal agencies?

4. Are CDC resources to prevent risk behaviors among school-aged youth: (a) Appropriately allocated among the various strategies being employed, (b) appropriately allocated based on geographic and demographic data, and (c) appropriately allocated for college-aged youth and youth in high-risk situations?

5. Schools are not the only institutions that influence adolescent behaviors. What more, if anything, should CDC do to reach out to various audiences such as families, non-governmental agencies, community-based organizations that serve youth, universities, philanthropies, the media, and the general public to improve HIV prevention and other health promotion strategies aimed at young people?

6. Are CDC efforts to follow up, evaluate, and use evaluation data to improve its strategies to prevent HIV infection and other important health risks among young people appropriate?

7. Are CDC strategies to prevent HIV infection and other important health risks among young people appropriate with respect to public health research, state of the art practices, Federal policy, and diverse societal expectations?

DATES: Please provide written comments by August 25, 1993.

ADDRESSES: Comments should be addressed to: Chair, CDC Advisory Committee on the Prevention of HIV Infection, c/o Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Connie Granoff, Committee Assistant, Office of the Associate Director for HIV/AIDS, CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918.

Dated: July 19, 1993.

Ladene H. Newton,

Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).

[FR Doc. 93–17659 Filed 7–23–93; 8:45 am]

BILLING CODE 4160–18–P

CDC Advisory Committee on the Prevention of HIV Infection, Subcommittee on Promoting Knowledge of Serostatus (Counseling, Testing, Referral, Partner Notification); Request for Comments

AGENCY: Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

ACTION: Request for comments.

SUMMARY: A subcommittee to the CDC Advisory Committee on the Prevention of HIV Infection (CDC ACPHI) has been established to conduct a review and evaluation of CDC's HIV counseling, testing, referral and partner notification (CTRPN) programs. The Subcommittee on Promoting Knowledge of Serostatus (Counseling, Testing, Referral, Partner Notification) has enlisted the assistance of a number of experts in identifying the areas to be addressed in the review process.

During meetings in May, June, July, and September 1993, the subcommittee is reviewing and evaluating CDC's HIV antibody counseling, testing, referral and partner notification programs to determine how well these programs provide persons at risk a convenient opportunity to:

(a) Learn their HIV serostatus.

(b) Receive HIV prevention counseling.

(c) Obtain referrals for additional prevention and other services.

(d) Assist sex and needle-sharing partners in receiving prevention services and referrals.

In order to assure the broadest possible input into this process, the CDC ACPHI requests comments from interested parties on the following questions:

(1) What should be the ideal goals for the CDC HIV CTRPN program as well as each component (counseling, testing, referral, and partner notification). What should be the relative emphasis of each component?

(2) How should progress be measured?

(3) How well does the current program meet the ideal goals?

(4) How should the program be changed to meet the ideal goals?

(5) What should be the relative investment and priority of CTRPN in relationship to other HIV prevention programs and activities?

(6) What information and data do CDC, health departments, and service providers need to continually improve the program?

(7) What are the impediments to improving the program and achieving the ideal goals?

DATES: Please provide written comments by August 25, 1993.

ADDRESSES: Comments should be addressed to: Chair, CDC Advisory Committee on the Prevention of HIV Infection, c/o Centers for Disease Control and Prevention (CDC), 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333.

FOR FURTHER INFORMATION CONTACT: Connie Granoff, Committee Assistant,

Office of the Associate Director for HIV/AIDS, CDC, 1600 Clifton Road, NE., Mailstop E–40, Atlanta, Georgia 30333, telephone (404) 639–2918.

Dated: July 19, 1993.

Ladene H. Newton,

Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).

[FR Doc. 93–17660 Filed 7–23–93; 8:45 am]

BILLING CODE [illegible]

Food and Drug Administration

[Docket No. 92N–0456]

Juan Manuel Rodriguez; Final Debarment Order

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Deputy Commissioner for Operations of the Food and Drug Administration (FDA) is issuing a final order under section 306(a)(2) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 335a(a)(2)) permanently debarring Mr. Juan Manuel Rodriguez, 200–26 45th Dr., Bayside, NY 11362, from providing services in any capacity to a person that has an approved or pending drug product application. The Deputy Commissioner bases this order on a finding that Mr. Rodriguez was convicted of a felony under Federal law for conduct relating to the development and approval, including the process for development and approval, of a drug product; and relating to the regulation of a drug product under the act. Mr. Rodriguez has failed to request a hearing and, therefore, has waived his opportunity for a hearing concerning this action.

EFFECTIVE DATE: July 26, 1993.

ADDRESSES: Application for termination of debarment to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Megan L. Foster, Center for Drug Evaluation and Research (HFD–366), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–295–8041.

SUPPLEMENTARY INFORMATION:

I. Background

On July 24, 1992, the United States District Court for the District of Maryland entered judgment against Mr. Juan Manuel Rodriguez for one count of obstruction of an agency proceeding, a Federal felony offense under 18 U.S.C. 1505. The basis for this conviction was Mr. Rodriguez' act of fabricating a log book in order to match fabricated records. This log book was then furnished to FDA during an inspection of the pharmaceutical firm which had previously employed Mr. Rodriguez.

Following this conviction, on April 7, 1993, FDA served Mr. Rodriguez a notice proposing to permanently debar him from providing services in any capacity to a person that has an approved or pending drug product application and offered him an opportunity for a hearing on the proposal. FDA based the proposal on its finding that Mr. Rodriguez' conduct leading to his conviction under 18 U.S.C. 1505 related to the development, approval, and the regulation of a drug product. Mr. Rodriguez did not request a hearing. His failure to request a hearing constitutes a waiver of his opportunity for a hearing and a waiver of any contentions concerning his debarment.

II. Findings and Order

Therefore, as Deputy Commissioner for Operations, under section 306(a) of the act, and under authority delegated to me (21 CFR 5.20), I find that Mr. Juan Manuel Rodriguez has been convicted of a felony under Federal law for conduct (1) relating to the development and approval, including the process for development and approval, of a drug product (21 U.S.C. 335a(a)(2)(A)); and (2) relating to the regulation of a drug product (21 U.S.C. 335a(a)(2)(B)).

As a result of the foregoing findings, Mr. Juan Manuel Rodriguez is permanently debarred from providing services in any capacity to a person with an approved or pending drug product application under sections 505, 507, 512, or 802 of the act (21 U.S.C. 355, 357, 360b, or 382), or under section 351 of the Public Health Service Act (42 U.S.C. 262), effective July 26, 1993 (21 U.S.C. 335a(c)(1)(B) and (c)(2)(A)(ii) and 21 U.S.C. 321(ee)). Any person with an approved or pending drug product application who knowingly uses the services of Mr. Rodriguez in any capacity during his period of debarment will be subject to civil money penalties. If Mr. Rodriguez during his period of debarment provides services in any capacity to a person with an approved or pending drug product application, he will be subject to civil money penalties. In addition, FDA will not accept or review any abbreviated new drug application or abbreviated antibiotic drug application from Mr. Rodriguez during his period of debarment.

Any application by Mr. Rodriguez for termination of debarment under section 306(d)(4) of the act should be identified with Docket No. 92N–0456 and sent to the Dockets Management Branch (address above). All such submissions are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: July 13, 1993.

Jane E. Henney,

Deputy Commissioner for Operations.

[FR Doc. 93–17645 Filed 7–23–93; 8:45 am]

BILLING CODE [illegible]

[Docket No. 93N–0263]

Forest Pharmaceuticals, Inc., Et Al.; Withdrawal of Approval of 24 Abbreviated New Drug Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing approval of 24 abbreviated new drug applications (ANDA's). The holders of the ANDA's notified the agency in writing that the drug products were no longer marketed and requested that the approval of the applications be withdrawn.

EFFECTIVE DATE: August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Lola E. Batson, Center for Drug Evaluation and Research (HFD–360), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–295–8038.

SUPPLEMENTARY INFORMATION: The holders of the ANDA's listed in the table in this document have informed FDA that these drug products are no longer marketed and have requested that FDA withdraw approval of the applications. The applicants have also, by their request, waived their opportunity for a hearing.

ANDA No.	Drug	Applicant
83-754	Phendimetrazine tartrate tablets,, 35 milligrams (mg)	Forest Pharmaceuticals, Inc., 150 East 58th St., New York, NY 10155– 0015.
83-889	Methamphetamine hydrochloride tablets, 10 mg	Lemmon Co., 650 Cathill Rd., Sellersville, PA 18960.
83-989	Tripelennamine hydrochloride Tablets, USP, 50 mg	Heather Drug Co., c/o Lachman Consultant Services, Inc., 100 Stewart Ave., Westbury, NY 11590.
84-367	Methyltestosterone capsules, USP, 10 mg	Do.
85-355	Dextroamphetamine sulfate, USP, 15 mg	Lemmon Co.
86-012	Sulfamethizole Tablets, 1.0 mg	Forest Pharmaceuticals, Inc.
86-359	Methamphetamine hydrochloride tablets, 5 mg	Lemmon.
86-665	Phenobarbital, 16.2 mg; Hyoscyamine sulfate, 0.1037 mg; Scopolamine hydrobromide, 0.0065 mg; and Atropine sulfate, 0.0194 mg tablets	Forest Pharmaceuticals, Inc.
87-809	Acetaminophen and hydrocodone bitartrate tablets, 500 mg/5 mg	Do.
87-990	Triamcinolone acetonide cream, USP, 0.025%	Pharmaderm, Division of Altana Inc., 60 Baylis Rd., Melville, NY 11747.
87-991	Triamcinolone acetonide cream, USP, 0.1%	Do.
87-992	Triamcinolone acetonide cream, USP, 0.5%	Do.
88-047	Fluocinolone acetonide solution, USP, 0.01%	Do.
88-322	Thioridazine hydrochloride tablets, USP, 50 mg	Par Pharmaceutical, Inc., One Ram Ridge Rd., Spring Valley, NY 10977.
88-336	Thioridazine hydrochloride tablets, USP, 25 mg	Do.
88-351	Thioridazine hydrochloride tablets, USP, 10 mg	Do.
88-352	Thioridazine hydrochloride tablets, USP, 15 mg	Do.
88-480	Thioridazine hydrochloride tablets, USP, 100 mg	Do.
88-644	Dicyclomine hydrochloride capsules, USP, 10 mg	Lemmon.
88-690	Triamcinolone acetonide ointment, USP, 0.1%	Pharmaderm.
88-692	Triamcinolone acetonide ointment, USP, 0.025%	Do.
88-845	Hydrocortisone cream, USP, 1%	Do.
89-377	Nitroglycerin transdermal system, 0.4 mg per hour	Paco Pharmaceutical Services, 1200 Paco Way, Lakewood, NJ 08701.
89-558	Chlordiazepoxide capsules, 25 mg	Pioneer Pharmaceuticals, Inc., 209 40th St., Irvington, NJ 07111

Therefore, under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), and under authority delegated to the Director, Center for Drug Evaluation and Research (21 CFR 5.82), approval of the ANDA's listed above, and all amendments and supplements thereto, is hereby withdrawn, effective August 25, 1993.

Dated: July 13, 1993.

Carl C. Peck,

Director, Center for Drug Evaluation and Research.

[FR Doc. 93–17643 Filed 7–23–93; 8:45 am]

BILLING CODE 4160–01–F

Health Care Financing Administration

[OPHC–028–N]

Health Maintenance Organizations: Qualification Determinations and Compliance Actions During the Period January 1, 1993 Through March 31, 1993

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice.

SUMMARY: This notice sets forth the names, addresses, service areas or modified service areas, and dates of qualification or expansion of entities determined to be Federally qualified health maintenance organizations (FQHMOs) during the period January 1, 1993, through March 31, 1993. Additionally, this notice sets forth compliance actions taken by the Office of Prepaid Health Care Operations and Oversight for the period January 1, 1993, through March 31, 1993. This notice is being published in accordance with our regulations set forth at 42 CFR 417.144 and 417.163, which require publication in the **Federal Register** of certain determinations relating to FQHMOs.

FOR FURTHER INFORMATION CONTACT: Christine Boesz, (202) 619–0840.

SUPPLEMENTARY INFORMATION:

A. Qualification Determinations

As part of our evaluation and determination of whether an entity qualifies as a Federally qualified health maintenance organization (FQHMO), our regulations set forth at 42 CFR 417.144(e) promulgated under title XIII of the Public Health Service Act (the Act) (42 U.S.C. 300e), require publication in the **Federal Register** of the names, addresses, and description of the service areas of new FQHMOs. We interpret this requirement as applying to revisions of service areas of currently approved FQHMOs as well. Our last notice containing this information was published in the **Federal Register** on June 2, 1993 (58 FR 31407).

There are three categories of FQHMOs: operational, transitionally qualified, and pre-operational. Definitions of these terms are set forth at 42 CFR 417.141.

The Office of Prepaid Health Care Operations and Oversight has determined that the following entities are operational FQHMOs under section 1310(d) of the Act (42 U.S.C. 300e–9(d)) or have expanded their previously qualified service areas:

Expansions and Addition of Service Area Regional Components by Existing FQHMOs

a. *Prudential Health Care Plan of Illinois* (PruCare) Illinois) (Group Model, requirements are set forth at section 1310(b)(1) of the Act), 56 North Livingston Avenue, Roseland, New Jersey 07068. PruCare Illinois' Federally qualified service area has been expanded to include Cook, Dupage, and Lake Counties and the following zip codes in portions of Kane, McHenry, and Will Counties:

Kane County	
60110	60175.
60118	60177.
60120	60505 through 60507.

60121	60510.
60123	60539.
60134	60542.
60174.	

The following cities are included:

Aurora	Geneva.
Barrington Hills	Mooseheart.
Batavia	North Aurora.
Carpentersville	Saint Charles.
Dundee	Sleepy Hollow.
East Dundee	South Elgin.
Elgin	West DunDee

McHenry County

60012 through 60014	60097.
60021	60098.
60050	60102.
60051	60142.
60072.	

The following cities are included:

Algonquin	Lake In The Hills.
Cary	McHenry.
Crystal Lake	Oakwood Hills.
Fox River Grove	Ringwood.
Huntley	Wonder Lake.
	Woodstock.

Will County

60401	60440 through 60442.
60417	60448.
60421	60449.
60423	60451.
60431 through 60436	60460.

Date of qualification for service area expansion: March 5, 1993.

b. *PacifiCare of Texas, Inc (PcTx)* (Group Model, see section 1310(b)(1) of the Act for requirements; Direct Contract Model, requirements are set forth at section 1310(b)(2)(B) of the Act; and Individual Practice Association Model, see definition and requirements set forth respectively at sections 1302(5) and 1310(b)(2)(A) of the Act), 8200 IH–10, suite 1000, San Antonio, Texas 78230–3878. PcTx's approved Federally qualified expansion beyond the current Bexar County includes Fort Bend, Harris, Kendell, Wharton, and Wilson Counties in their entirety and the following portions of Atascosa, Colorado, Comal, Gonzales, Guadalupe, Lavaca, Medina, and Montgomery Counties, Texas:

Atascosa County

78026	Jourdanton.
78050	Leming.
78952	Lytle.
78064	Pleasanton.
78065	Poteet.

Colorado County

78935	Alleyton.
77412	Altair.
78934	Columbus.
77434	Eagle Lake.
77442	Garwood.
77460	Nada.
78951	Oakland.
77470	Rock Island.
77475	Sheridan.
78962	Weimar.

Comal County

78163	Bulverde.
78623	Fischer.
78070	Spring Branch.

Gonzales County

78603 Bebe	78685 Ottine.
78604 Belmont	78159 Smiley.
78614 Cost	78677 Wrightsboro.
78629 Gonzales	78959 Waelder.
78122 Leesville	
78140 Nixon.	

Guadalupe County

78108 Cibolo	78124 Marion.
78123 McQueeny	78155 New Berlin.
78154	Schertz.

Lavaca County

77964 Moravia	77975 Moulton.

Medina County

78009 Castroville	78056 Mico.
78016 Devine	78059 Natalia.
78851 Hondo	78066 Riomedina.
78039 La Coste	78886 Yancey.

Montgomery County

77337 Hufsmith	77380 Spring.
77355 Magnolia	77381 Spring.
77362 Pinehurst	77385 Spring.
77386	Spring.

Date of qualification of service area expansion: March 5, 1993.

B. Compliance Actions

The Office of Prepaid Health Care Operations and Oversight gives notice of the following compliance actions affecting FQHMOs for the period January 1, 1993, through March 31, 1993:

1. Notices of Revocation

The Office of Prepaid Health Care Operations and Oversight considers voluntary relinquishment of participation to be a compliance action and sends a notice of revocation to the FQHMO. Notices were sent during the first quarter of calendar year 1993 to the following organizations:

Organization	Date issued	Reason
CIGNA Healthplan of Kansas, Missouri, Wichita, Kansas.	1/28/93	Voluntary relinquishment (merger).
United Health Care of Georgia, Inc., Atlanta, Georgia.	3/25/93	Voluntary relinquishment.

2. Notice of Reestablished Compliance

Organization	Date reestablished
Companion HealthCare Columbia, South Carolina	2/4/93
Kaiser Foundation Health Plan of Massachusetts, Inc. Oakland, California	2/9/93
Kaiser Foundation Health Plan, Inc. Northern California, Oakland, California	2/9/93
Comprecare Health Care Services, Aurora, Colorado	3/3/93
Group Health Association, Inc., Washington, D.C.	3/25/93

C. Availability of Additional Information

A cumulative list of FQHMOs and additional information may be obtained by writing to the following address: Office of Prepaid Health Care Operations and Oversight, Health Care Financing Adminstration, Room 4406 Cohen Building, 330 Independence Avenue SW., Washington, DC 20201.

The list also may be obtained by visiting that office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, except for Federal holidays. Interested persons should contact Margie Sharif for an appointment, telephone (202) 619–0845.

Authority: (42 U.S.C. 300e) Title XIII of the Public Health Service.

Dated: July 16, 1993.

Bruce C. Vladeck,

Administrator, Health Care Financing Administration.

[FR Doc. 93–17642 Filed 7–23–93; 8:45 am]

BILLING CODE 4120–01–P

Health Resources and Services Administration

[PN–2079]

Program Announcement and Grant Orientation; Conferences for the Health Careers Opportunity Program

The Health Resources and Services Administration (HRSA) announces that applications for fiscal year (FY) 1994 Health Careers Opportunity Program (HCOP) grants are now being accepted under the authority of section 740 (previously section 787) of the Public Health Service Act, as amended by Public Law 102–408, dated October 13, 1992.

Section 740 authorizes the Secretary to make grants to and enter into contracts with schools of allopathic medicine, osteopathic medicine, public health, dentistry, veterinary medicine, optometry, pharmacy, allied health, chiropractic and podiatric medicine and public and nonprofit private schools which offer graduate programs in clinical psychology and other public or private nonprofit health or educational entities to carry out programs which assist individuals from disadvantaged backgrounds to enter and graduate from such schools. The assistance authorized by the section may be used to: Identify, recruit, and select individuals from disadvantaged backgrounds for education and training in a health profession; facilitate the entry and retention of such individuals in health and allied health professions schools; providing for a period prior to the entry of such individuals into the regular course of education of such a school, preliminary education designed to assist them to complete successfully such regular course of education at such a school, or referring such individuals to institutions providing such preliminary education; and to provide counseling and advice on financial aid to assist such individuals to complete successfully their education at such schools.

The Administration's FY 1994 budget request for this program is $30.1 million. Of this amount, $18.5 million will be used to continue support to 102 multi-year projects funded in previous years. It is estimated that $11.6 million will be available to fund 58 competing projects averaging $199,000 each.

The statute requires that, of the amounts appropriated for any fiscal year, 20 percent must be obligated for stipends to disadvantaged individuals of exceptional financial need who are students at schools of allopathic medicine, osteopathic medicine, or dentistry, 10 percent must be obligated to community-based programs and 70 percent must be obligated for grants or contracts to institutions of higher education. Not more than five percent of such funds may be obligated for grants and contracts having the primary purpose of informing individuals about the existence and general nature of health careers.

The legislative authority for this program expires in FY 1993. This program announcement is subject to the extension of this authority and the appropriation of funds. Applicants are advised that this application announcement is a contingency action being taken to assure that should the authority be extended and funds become available for this purpose, they can be awarded in a timely fashion consistent with the needs of the program as well as to provide for an even distribution of funds throughout the fiscal year.

Previous Funding Experience

Previous funding experience is provided to assist potential applicants to make better informed decisions regarding submission of an application for this program. In FY 1993, HRSA reviewed 248 applications for HCOP Grants. Of those applications, 86 percent were approved and 14 percent were not recommended for further consideration. Seventy-four projects; or 35 percent of the approved applications, were funded. In FY 1992, HRSA reviewed 155 applications for HCOP Grants. Of those applications, 83 percent were approved and 17 percent were not recommended for further consideration. Twenty-seven projects; or 21 percent of the approved applications, were funded.

To receive support, applicants must meet the requirements of the program regulations which are located at 42 CFR part 57, subpart S. The period of Federal support will not exceed 3 years.

National Health Objectives For The Year 2000

The Public Health Service (PHS) is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS-led national activity for setting priority areas. The Health Careers Opportunity Program is related to the priority area of Educational and Community-Based programs. Potential applicants may obtain a copy of Healthy People 2000 (Full Report; Stock No. 017–001–00474–0) or Healthy People 2000 (Summary Report; Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (Telephone 202–783–3238).

Education and Service Linkage

As part of its long-range planning, HRSA will be targeting its efforts to strengthening linkages between its U.S. Public Health Service education programs and programs which provide comprehensive primary care services to the underserved.

Review Criteria

The review of applications will take into consideration the following criteria:

(a) The degree to which the proposed project adequately provides for the requirements in the program regulations;

(b) The number and types of individuals who can be expected to benefit from the project;

(c) The administrative and management ability of the applicant to carry out the proposed project in a cost effective manner;

(d) The adequacy of the staff and faculty;

(e) The soundness of the budget; and

(f) The potential of the project to continue without further support under this program.

In addition, the following factor will be applied in determining the funding of applications:

Funding priorities—favorable adjustment of aggregate review scores when applications meet specified objective criteria.

The following funding priorities will be used in the distribution of grant awards in FY 1994.

Statutory Funding Priority

Public Law 102–408 requires the Secretary to give priority in funding to the following schools:

1. A school which previously received an HCOP grant and increased its first-year enrollment of individuals from disadvantaged backgrounds by at least 20 percent over that enrollment in the base year 1987 (for which the applicant must supply data) by the end of 3 years from the date of the award of the HCOP grant; and

2. A school which had not previously received an HCOP grant that increased its first-year enrollment of individuals from disadvantaged backgrounds by at least 20 percent over that enrollment in the base year 1987, (for which the applicant must supply data) over any period of time (3 consecutive years).

Established Funding Priority

The following funding priority was established in fiscal year 1990 after public comment at 55 FR 11264, dated

March 27, 1990, and is being continued in FY 1994, with the exception that wording related to alternative means of documenting enrollment in terms of increases and retention rates for disadvantaged students has been deleted. Progress in these areas is considered as a part of the merit review process for this program and applicants will be informed of relevant benchmarks in application materials.

A funding priority will be given to HCOP applications from health professions schools and from allied health training centers for baccalaureate or higher level programs in physical therapy, physician assisting, respiratory therapy, medical technology or occupational therapy that have a disadvantaged student enrollment of 35 percent or more.

It is not required that applicants request consideration for a funding factor. Applicants which do not request consideration of funding factors will be reviewed and given full consideration for funding.

In addition, consideration will be given by the Secretary to an equitable geographic distribution of projects, and the assurance that a combination of all funded projects represents a reasonable proportion of the health professions specified in the legislation.

The applicant must indicate on the upper right-hand corner of the face page of the application the funding priority for which the applicant wishes consideration. However, the final determination of the category of funding priority will be based on a staff assessment of the contents of the proposal. An applicant may only be given credit for one funding priority.

Definitions

As used in this notice:

"Community-based Program" means a program with organizational headquarters located in and which primarily serves: a Metropolitan Statistical Area, as designated by the Office of Management and Budget; a Bureau of Economic Analysis, U.S. Department of Commerce designated nonmetropolitan economic area or a county; or Indian tribe(s) as defined in 42 CFR 36.102(c), i.e., an Indian tribe, band, nation, rancheria, Pueblo, colony or community, including an Alaska Native Village or regional or village corporation.

"Health professions schools" means schools of allopathic medicine, dentistry, osteopathic medicine, pharmacy, optometry, podiatric medicine, veterinary medicine, public health, chiropractic, or graduate programs in clinical psychology and health administration, as defined in section 799(1)(A) and (1)(B) of the Public Health Service Act and as accredited in section 799(l)(E) of the Act.

"Individual from a disadvantaged background" means an individual who: (a) Comes from an environment that has inhibited the individual from obtaining the knowledge, skills and abilities required to enroll in and graduate from a health professions school or from a program providing education or training in an allied health profession or; (b) comes from a family with an annual income below a level based on low-income thresholds according to family size, published by the U.S. Bureau of the Census, adjusted annually for changes in the Consumer Price Index and adjusted by the Secretary for use in all health professions programs, 42 CFR 57.1804(b)(2).

The following income figures determine what constitutes a low-income family for purposes of these Health Careers Opportunity Program grants for fiscal year 1994:

Size of parents' family [1]	Income level [2]
1	$9,419
2	12,202
3	14,523
4	18,598
5	21,830
6 or more	24,648

[1] Includes only dependents listed on Federal income tax forms.

[2] Adjusted gross income for calendar year 1993, rounded to nearest $100.

"Training Center for allied health professions" means a junior college, or college, or university which:

(a) Provides educational programs leading to an associate, baccalaureate, or higher degree needed to practice as one of the following:

Master's Degree

Biostatistician
Nutritionist
Social Worker
Speech Pathologist/Audiologist

Bachelor's Degree

Biomedical Engineer
Blood Bank Technologist
Community Health Educator
Corrective Therapist
Cytogenetic Counselor
Dental Hygienist
Dietitian
Health Physicist
Health Services Administrator
Medical Illustrator
Medical Records Administrator
Medical Technologist
Microbiology Technologist
Occupational Therapist
Physical Therapist
Primary Care Physician Assistant
Recreational Therapist
Rehabilitation Counselor
Sanitarian (Environmental Health)

Associate Degree

Clinical Dietetic Technician
Cytotechnologist
Dental Assistant
Dental Hygienist
Dental Laboratory Technician
EKG/EEG Technologist
Medical Assistant
Medical Laboratory Technician
Medical Records Technician
Occupational Therapy Assistant
Ophthalmic Medical Assistant
Ophthalmic Technologist
Optometric Technician
Orthopedic Technologist
Physical Therapy Assistant
Radiologic Technologist
Respiratory Therapy Technologist
Sanitarian Technician
Surgical Technologist

(b) Provides training for not less than a total of 20 persons in the substantive health portion, including clinical experience as required for employment, in three or more of the disciplines listed in paragraph (a) of this definition and has a minimum of six full-time students in that portion of each curriculum by October 15 of the fiscal year of application.

(c) Has a teaching hospital as part of the grantee institution or is affiliated with a teaching hospital by means of a formal written agreement. The term "teaching hospital" includes other settings which provide clinical or other health services if they fulfill the requirement for clinical experience specified in an allied health curriculum.

Additional Information

Requests for grant application materials and questions regarding grants policy and business management issues should be directed to: Ms. Diane Murray, Grants Management Specialist (D18), Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, Room 8C–26, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–6857, FAX: (301) 443–6343.

Completed applications should be returned to the Grants Management Office at the above address.

The standard application form PHS 6025–1, HRSA Competing Training Grant Application, General Instructions and supplement for this program have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. The OMB clearance number is 0915–0060.

The application deadline date is November 5, 1993. Applications will be

considered to be "on time" if they are either:

(1) *Received* on or before the deadline date, or

(2) *Sent* on or before the deadline and received in time for orderly processing. A legibly dated receipt from a commercial carrier or U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks shall not be acceptable as proof of timely mailing.

Late applications not accepted for processing will be returned to the applicant.

Grant Orientation Conferences

Grant applications and program information for the Health Careers Opportunity Program will also be provided through three program technical assistance conferences.

The three conferences scheduled in September 1993, will be held as follows:

September 9–10, 1993, Holiday Inn Crowne Plaza, 1750 Rockville Pike, Rockville, Maryland 20852, (301) 468–1100, (800) 638–5963.

September 13–14, 1993, U.S. Grant Hotel, 326 Broadway, San Diego, California 92101, (619) 232–3121, (800) 237–5029.

September 16–17, 1993 Stouffer Nashville Hotel, 611 Commerce Street, Nashville, Tennessee 37203–7307, (615) 255–8400.

Attendees must make their own lodging arrangements. Expenses incurred by the attendees will not be supported by the Federal Government.

Agenda items will include: Application Preparation and Grants Management Policies and Procedures. Special attention will be given to the development of the three page grant proposal summary, which is prepared by the applicant and is critical to the objective review process.

Participation in the technical assistance meetings does not assure approval and funding of prospective applications.

To obtain specific information regarding the conferences and programmatic aspects of this grant program, direct inquiries to: Mario A. Manecci, M.P.H., Chief, Health Careers Opportunity Program, Program Coordination Branch, Division of Disadvantaged Assistance, Bureau of Health Professions, HRSA, Parklawn Building, room 8A–09, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–4493, FAX: (301) 443–5242.

This program is listed at 93.822 in the Catalog of Federal Domestic Assistance. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs (as implemented through 45 CFR part 100).

This program is not subject to the Public Health System Reporting Requirements.

Dated: June 2, 1993.

William A. Robinson,

Acting Administrator.

[FR Doc. 93–17552 Filed 7–23–93; 8:45 am]

BILLING CODE 4160-15-P

Advisory Council; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body scheduled to meet during the month of September 1993:

Name: National Advisory Committee on Rural Health.

Date and Time: September 20–22, 1993; 8:30 a.m.

Place: The Hotel Washington, 15th and Pennsylvania Avenue, NW., Washington, DC 20004–1006, (202) 638–5900.

The meeting is open to the public.

Purpose: The Committee provides advice and recommendations to the Secretary with respect to the delivery, financing, research, development and administration of health care services in rural areas.

Agenda: Plenary session on Monday, September 20, will be devoted to the theme: "Building Foundations for Health Care Reform in Rural Areas." The theme will include discussions and presentations on general infrastructure development, network development, and implications for states. Monday afternoon, the Executive Committee will visit the Secretary of Health and Human Services, Donna E. Shalala, Ph.D., in her office to discuss the Committee and its rural health agenda.

The Health Care Financing Work Group will study recommendations regarding Medicare waivers for alternative delivery systems, graduate medical education and anti-trust during its sessions on Monday afternoon and all day Tuesday. The Education and Health Services Work Group will address substance abuse and mental health services, and health professions education during the same time period.

The meeting will end on Wednesday, September 22, with reports from the two Work Groups. The entire meeting is open to the public with the exception of the meeting with the Secretary.

Anyone requiring information regarding the subject Council should contact Jeffery Human, Executive Secretary, National Advisory Committee on Rural Health, Health Resources and Services Administration, Room 9–05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–0835, FAX (301) 443–2803.

Persons interested in attending any portion of the meeting should contact Ms. Arlene Granderson, Director of Operations, Office of Rural Health Policy, Health Resources and Services Administration, Telephone (301) 443–0835.

Agenda items are subject to change as priorities dictate.

Dated: July 20, 1993.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 93–17603 Filed 7–23–93; 8:45 am]

BILLING CODE 4160-15-P

Indian Health Service

Adolescent Health Centers for American Indians/Alaska Natives; Grant Application Announcement

AGENCY: Indian Health Service, HHS.

ACTION: Notice of final funding emphases for competitive grant Applications for the Indian Health Service (IHS) Adolescent Health Centers for American Indians/Alaska Natives Program.

SUMMARY: The IHS announces the final funding emphases for fiscal year (FY) 1993 IHS Adolescent Health Centers for American Indians/Alaska Natives Program authorized by section 216 of the Indian Health care Improvement Act as amended by the Indian Health Amendments of 1992, Public Law 102–573. There will be only one funding cycle during FY 1993. Grants shall be administered in accordance with applicable Office of Management and Budget (OMB) Circulars and HHS policies. This program is described at 93.228 in the Catalog of Federal Domestic Assistance. Executive Order 12372 requiring intergovernmental review is not applicable to this program.

General Program Purpose

To establish innovative school related and community based adolescent health centers, capable of providing health promotion and disease prevention services to adolescents. Under this program, funding cannot be used to provide services described in section 209(m) of the Indian Health Care Improvement Act as amended by Public Law 102–573.

Funding Emphases

Proposed funding emphases were published in the **Federal Register** on May 24, 1993, (58 FR 29831) for public comment. No comments were received during the 30-day comment period. Therefore, as proposed, the following funding emphases will be retained as listed below.

1. Tribes or tribal organizations which have previously received grants to fund

IHS Adolescent Health Centers may not reapply.

2. To provide geographic equity, applicants from within the following IHS Areas will be given priority: Aberdeen IHS, Alaska Native Health Service, Billings IHS, California IHS, Navajo IHS, and Office of Health Program Research & Development.

Review Process

Applications meeting eligibility requirements that are complete and conform to the published program announcement in the **Federal Register** of May 24, 1993 (58 FR 29831) will be reviewed in accordance with the IHS objective review procedures. The objective review process is a nationwide competition for limited funding within the guidelines delineated under Eligible Applicants in the **Federal Register** of May 24, 1993 (58 FR 29831). In addition, assuming there are an adequate number of applications, not more than one grant will be awarded within each IHS Area. Priority will be given to qualified applicants within IHS Areas not previously having grant recipients under this grant program.

FOR FURTHER INFORMATION CONTACT: For Adolescent Health Centers for American Indians/Alaska Natives Grant program information contact Richard Kotomori, M.D., Chief, Special Initiatives Branch, Office of Health Programs, Indian Health Service, Parklawn Building, Room 6A–54, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–4646. For grant application information, contact Mrs. Kay Carpentier, Grants Management Officer, Grants Management Branch, Indian Health Service, Twinbrook Metro Plaza, Suite 300, 12300 Twinbrook Parkway, Rockville, MD 20852, (301) 443–5204. (The telephone numbers are not toll-free).

Dated: July 19, 1993.

Michel E. Lincoln,

Acting Director.

[FR Doc. 93–17602 Filed 7–23–93; 8:45 am]

BILLING CODE 4165-16-M

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing in the U.S. (and in foreign markets) in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development.

U.S. Patent Application Number 08/070,151, filed June 1, 1993, and entitled "Antibacterial Compound and Related Methods"—This invention is an antibacterial peptide constructed of 11 amino acids and a method for its use, capable of killing a broad spectrum of bacteria strains, representing gram positive and negative genera in a variety of contexts. The invention provides for a purified compound produced from a hybridoma cell line, F2IIE D4–D6, comprising an amino acid sequence with antibacterial activity. The patent application covers a method of killing bacteria by direct administration of the compound, for example, subcutaneous injection or topical spraying. The compound and method claims in this patent are of great significance for topical treatments of sexually transmitted diseases as well as in vivo bactericidal activity against bacterial organisms, such as found in milk producing mammals, without the side effects of antibiotics. The compound can also be used as a disinfectant on non-living environmental surfaces.

The compound has been found to be active against such bacterial groups as *Neisseria gonorrhoea, Gardnerella vaginalis, Mobiluncus species* (spp), *Moraxella bovis, Staphylococcus aureaus* and *Streptococcus equi* as well as many others. The compound has been active both *in vivo* and *in vitro.*

The invention claimed in this patent application is available for either exclusive or non-exclusive licensing. The Centers for Disease Control and Prevention (CDC) is considering entering into a Cooperative Research and Development Agreement(s) (CRADA) with companies to enhance commercial development of the invention. Companies interested in CRADA opportunities should contact Greg Jones of CDC at 1600 Clifton Road, NE., Mailstop C19, Atlanta, Georgia 30333; Telephone (404) 639–2434, Fax (404) 639–1525.

ADDRESSES: Licensing information and copies of this U.S. patent application my be obtained by writing to Mark D. Hankins at the Office of Technology Transfer, National Institutes of Health, Box OTT, Bethesda, Maryland 20892 (telephone 301/496–7735; fax 301/402–0220). A signed Confidential Disclosure Agreement will be required to receive a copy of the patent application.

Dated: July 16, 1993.

Reid G. Adler,

Director, Office of Technology Transfer.

[FR Doc. 93–17701 Filed 7–23–93; 8:45 am]

BILLING CODE 4140-01-M

National Institute on Deafness and Other Communication Disorders; Meeting of the National Deafness and Other Communication Disorders Advisory Board

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the National Deafness and Other Communication Disorders Advisory Board on September 20, 1993. The meeting will take place from 8:30 a.m. to 4:30 p.m. in Conference Room 6, Building 31C, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892.

The meeting will be open to the public from 8:30 a.m. to 3:30 p.m. to discuss the Board's activities and to present special reports. Attendance by the public will be limited to the space available.

In accordance with the provisions set forth in sec. 552b(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92–463, the meeting will be closed to the public from 3:30 p.m. until adjournment. The closed portion of the meeting will be for the discussion and approval of individuals to serve on scientific panels to update the language and language impairments and the balance and balance disorders sections of the Research Plan. These discussions could reveal personal information concerning these individuals, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Summaries of the Board's meeting and a roster of members may be obtained from Ms. Monica Davies, Executive Director, National Deafness and Other Communication Disorders Advisory Board, Building 31, room 3C08, National Institutes of Health, Bethesda, Maryland 20892, 301–402–1129, upon request.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should contact the Executive Director in advance of the meeting.

(Catalog of Federal Domestic Assistance Program No. 93.173, Biological Research Related to Deafness and Communication Disorders.)

Dated: July 19, 1993.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 93–17700 Filed 7–23–93; 8:45 am]

BILLING CODE 4140–01–M

National Heart, Lung, and Blood Institute; Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meetings of the following Heart, Lung, and Blood Special Emphasis Panels.

These meetings will be closed in accordance with the provisions set forth in sec. 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications, contract proposals, and/or cooperative agreements. These applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Panel: NHLBI SEP on Non-Immune Defense Against Tuberculosis in the Lung.

Dates of Meeting: August 2–3, 1993.

Time of Meeting: 7:30 p.m.

Place of Meeting: Marriott Suites, Bethesda, Maryland.

Agenda: To review and evaluate grant applications.

Contact Person: Dr. Jon Ranhand, 5333 Westbard Avenue, room 554, Bethesda, Maryland 20892, (301) 594–7439.

Name of Panel: NHLBI SEP on RFA for Collaborative Projects on Minority Health (Blood)

Dates of Meeting: August 2–3, 1993.

Time of Meeting: 8:00 p.m.

Place of Meeting: Hyatt Regency, Bethesda, Maryland.

Agenda: To review and evaluate grant applications.

Contact Person: Dr. Matthew C. Starr, 5333 Westbard Avenue, room 553, Bethesda, Maryland 20892, (301) 594–7448.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: July 19, 1993.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 93–17698 Filed 7–23–93; 8:45 am]

BILLING CODE 4140–01–M

Division of Research Grants; Meeting

Pursuant to Public Law 92–463, notice is hereby given of a meeting of the Division of Research Grants Behavioral and Neurosciences Special Emphasis Panel.

The meeting will be closed in accordance with the provisions set forth in sec. 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications in the various areas and disciplines related to behavior and neuroscience. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Office of Committee Management, Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20892, telephone 301–594–7265, will furnish summaries of the meeting and roster of panel members.

Meeting To Review Individual Grant Applications

Scientific Review Administrator: Dr. Joseph Kimm (301) 594–7257.

Date of Meeting: August 3, 1993.

Place of Meeting: Baltimore, MD.

Time of Meeting: 3 p.m.

(Catalog of Federal Domestic Assistance Program Nos. 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 19, 1993.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 93–17699 Filed 7–23–93; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–055–93–4350–02]

Amendment to the Caliente Management Framework Plan (MFP)

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: The BLM Las Vegas District proposes to amendment the Caliente MFP to allow for the establishment of Rio Grande wild turkey (*Meleagris gallopavo*) populations on the resource area in the following areas: Clover Mountains, Meadow Valley Wash, Delamar Mountains, Highland Range and Clover Creek. The number of transplants and number of turkeys to be transplanted would be based upon monitoring studies that indicate the success of the initial transplants. The following is a legal description of the transplant areas:

Mount Diablo Meridian

Clover Mountains—T. 6 and 7 S., R. 70 and 71 E.
Meadow Valley Wash—T. 4, 5, 6 and 7 S., R. 66 and 67 E.
Delamar Mountains—T. 4, 5, 6 and 7 S., R. 64, 65 and 66 E.
Highland Range—T 1 N. and 1 S., R 66 E.
Clover Creek—T. 3, 4 and 5 S., R 67 and 68 E.

DATES: Comments may be submitted on or before August 25, 1993.

ADDRESSES: Interested parties may submit comments on the proposed amendment to the Caliente MFP to Curtis G. Tucker, Caliente Area Manager, P.O. Box 237, Caliente, NV 89008.

FOR FURTHER INFORMATION CONTACT: Kyle Teel, Caliente Wildlife Biologist, P.O. Box 237, Caliente, NV 89008. Telephone: 702–726–8100.

SUPPLEMENTARY INFORMATION: The areas described above have been field inspected by biologists from the BLM and Nevada Department of Wildlife and were determined to be suitable for wild turkeys. The Rio Grande subspecies of wild turkeys was chosen to be transplanted into these areas because they are adapted to drier climates.

This plan amendment is authorized by Title 43 CFR subpart 1610.5–5.

Dated: July 19, 1993.

Ben F. Collins,

District Manager, Las Vegas District.

[FR Doc. 93–17640 Filed 7–23–93; 8:45 am]

BILLING CODE 4310–HC–M

[UT–040–03–4820–01]

Cedar City District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of a meeting of the Cedar City District Grazing Advisory Board.

SUMMARY: Notice is hereby given in accordance with Public Law 92–463 of a meeting of the Cedar City District Grazing Advisory Board. Items to be discussed will include Kanab/Escalante Resource Management Plan, animal damage control environmental assessment, changes in grazing regulations and noxious weeds. A field trip will be held at Three Mile Creek and part of the Grand Staircase.

DATES: August 19, 1993. The meeting will begin at 9 a.m. at the park on the north end of town in Panguitch, Utah.

FOR FURTHER INFORMATION CONTACT: District Manager Gordon R. Staker, Cedar City District Office, 176 East D.L. Sargent Drive, Cedar City, Utah 84720. Telephone: 801–586–2401.

SUPPLEMENTARY INFORMATION: Advisory Council Meetings are open to the public. Interested persons may make oral statements or file written statements for the Board's consideration. Anyone wishing to make a statement notify the District Manager by Friday, August 13, 1993. A time limit may be established by the District Manager. Persons attending the field trip will need a vehicle and a lunch.

Dated: July 14, 1993.

Gordon R. Staker,

District Manager.

[FR Doc. 93–17613 Filed 7–23–93; 8:45 am]

BILLING CODE 4310–DN–M

[NV–930–4210–05; N–34971 and N–34972]

Termination of Desert Land Classification; Nevada

July 12, 1993.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action terminates desert land classification N–34971/N–34972 dated December 19, 1983, and provides for opening the land to the operation of the public land laws, including location under the mining laws.

EFFECTIVE DATE: Termination of the classification is effective on July 26, 1993. The lands will be open to entry on August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Vienna Wolder, BLM Nevada State Office, 850 Harvard Way, P.O. Box 12000, Reno, NV 89520, 702–785–6526.

SUPPLEMENTARY INFORMATION: Desert land classification N–34971/N–34972 was made pursuant to section 7 of the Taylor Grazing Act (43 U.S.C. 321, et seq.) in response to two applications. When entry to the land was allowed, the land became segregated from all other forms of appropriation under the public land laws, including location under the mining laws. Neither of the entries proved up for patent and by letter dated June 25, 1993, the desert land entries were relinquished. Pursuant to section 7 of the Taylor Grazing Act (43 U.S.C. 321, et seq.), desert land classification N–34971/N–34972 is hereby terminated in its entirety. The following described lands are affected by this action:

Mount Diablo Meridian, Nevada

T. 15 N., R. 44 E.,
Sec. 1, W½ of lot 8, W½SW¼;
Sec. 2, lot 7, E½ of lot 8, E½SW¼, SE¼;
Sec. 11, N½NE¼, NE¼NW¼;
Sec. 12, NW¼NW¼.

The area described aggregates 640 acres in Lander County.

At 10 a.m. on August 25, 1993, the lands will be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on August 25, 1993, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

At 10 a.m. on August 25, 1993, the lands will be open to location under the United States mining laws. Appropriation of lands under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Billy R. Templeton,

State Director, Nevada.

[FR Doc. 93–17641 Filed 7–23–93; 8:45 am]

BILLING CODE 4310–HC–M

[ID–040–4210–05, IDI–30043, IDI–30044, IDI–30045]

Sale of Public Land, Lemhi County, ID

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: Lemhi County has made application to purchase three parcels of public land under the authority of section 3 of the Act of June 14, 1926, as amended by the Recreation and Public Purposes Amendment Act (R&PP) of 1988. Two of the parcels will be used for solid waste transfer sites and one parcel for a municipal solid waste disposal site (landfill). Parcel IDI–30045 has been leased to Lemhi County for a transfer site under R&PP since 1986. These parcels will be sold to Lemhi County using the Special Pricing Program.

The following described parcels are proposed as suitable for sale as solid waste transfer sites:

Boise Meridian, Idaho

Parcel #IDI–30043

T. 16N., R.26E.,
Section 31: E½NE¼NW¼NE¼ containing five (5) acres

Parcel #IDI–30045

T. 23N., R22E.,
Section 18: a portion of Lot 10 containing two (2) acres more or less

The following parcel is proposed for sale as a municipal solid waste landfill:

Boise Meridian, Idaho

Parcel #IDI–30044

T. 21N., R22E.,
Section 26: W½NW¼ and
Section 27: NE¼ containing 240 acres

The above described public land is not required for any Federal purpose. The sale of these parcels to Lemhi County is consistent with the Lemhi Resource Management Plan (1988). This sale has been discussed with Lemhi County and various agencies within the State of Idaho who have indicated the suitability of these sites for their proposed uses. The sale is consistent with State and local government programs, plans and applicable regulations.

Mineral estates will be transferred out of public ownership with the surface estate. The patents, when issued, will be subject to the provisions of the Recreation and Public Purposes Amendment Act of 1988 and applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

2. A reservation thereon for a road for public access to be constructed by the authority of the United States pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

The patent of Parcel IDI–30043 will also be issued subject to the following existing right-of-way grants and reservations:

1. Those rights for a buried telephone line (IDI–20158) and an overhead telephone line (IDI–20151) which have been granted to Century Telephone of Idaho under the Act of October 21, 1976.

The patent of Parcel IDI–30045 will also be issued subject to the following existing right-of-way grants and reservations:

1. Those rights for a powerline (IDI–21150) which have been granted to

Idaho Power Company under the Act of October 21, 1976.

2. Those rights for a buried telephone line (IDI–20158) which have been granted to Century Telephone of Idaho under the Act of October 21, 1976.

Detailed information concerning this action is available for review at the office of the Bureau of Land Management, Salmon District, Box 430 (Hwy 93 South), Salmon, Idaho.

Publication of this Notice in the **Federal Register** will segregate the public lands described herein from any other public land law, including locations under the mining laws. This segregation will terminate upon issuance of a patent or 18 months from date of this Notice, whichever occurs first.

For a period of 45 days from the date of publication of this Notice in the **Federal Register**, interested parties may submit comments to the district Manager, Salmon District, P.O. Box 430, Salmon, Idaho 83467. Any adverse comments will be reviewed by the State Director.

In the absence of any adverse comments, the classification of the lands described in this Notice will become effective 60 days from the date of publication in the **Federal Register**. The land will not be offered for sale until after the classification becomes effective.

Dated: July 7, 1993.

Roy S. Jackson,

District Manager.

[FR Doc. 93–17683 Filed 7–23–93; 8:45 am]

BILLING CODE 4310–06–M

Bureau of Reclamation

Quarterly Status Tabulation of Water Service and Repayment Contract Negotiations

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given of proposed contractual actions pending through September 1993. This notice is one of a variety of means being used to inform the public about proposed contractual actions for water service and repayment. Additional Bureau of Reclamation (Reclamation) announcements of individual repayment and water service contract actions may be published in the **Federal Register** and in newspapers of general circulation in the areas determined by Reclamation to be affected by the proposed action. Announcements may be in the form of news releases, legal notices, official letters, memorandums, or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. These public participation procedures do not apply to proposed contracts for the sale of surplus or interim irrigation water for a term of 1 year or less. Either of the contracting parties may invite the public to observe any contract proceedings. All public participation procedures will be coordinated with those involved in complying with the National Environmental Policy Act.

ADDRESSES: The identity of the approving officer and other information pertaining to a specific contract proposal may be obtained by calling or writing the appropriate regional office at the address and telephone number given for each region in the supplementary information.

FOR FURTHER INFORMATION CONTACT: Dick L. Porter, Chief, Contracts and Repayment Division, Bureau of Reclamation, 1849 C St. NW., Washington, DC 20240; telephone 202–208–3014.

SUPPLEMENTARY INFORMATION: Pursuant to section 226 of the Reclamation Reform Act of 1982 (96 Stat. 1273) and 43 CFR 426.20 of the rules and regulations published in 52 FR 11954, April 13, 1987, Reclamation will publish notice of proposed or amendatory contract actions for any contract for the delivery of water for irrigation or other uses in newspapers of general circulation in the affected area at least 60 days prior to contract execution. Pursuant to the "Final Revised Public Participation Procedures" for water service and repayment contract negotiations, published in 47 FR 7763, February 22, 1982, a tabulation is provided below of all proposed contractual actions in each of the five Reclamation regions. Each proposed action listed is, or is expected to be, in some stage of the contract negotiation process during July, August, or September of 1993. When contract negotiations are completed, and prior to execution, each proposed contract form must be approved by the Secretary, or pursuant to delegated or redelegated authority, the Commissioner of Reclamation or one of the Regional Directors. In some instances, congressional review and approval of a report, water rate, or other terms and conditions of the contract may be involved.

Public participation in and receipt of comments on contract proposals will be facilitated by adherence to the following procedures:

1. Only persons authorized to act on behalf of the contracting entities may negotiate the terms and conditions of a specific contract proposal.

2. Advance notice of meetings or hearings will be furnished to those parties that have made a timely written request for such notice to the appropriate regional or project office of Reclamation.

3. Written correspondence regarding proposed contracts may be made available to the general public pursuant to the terms and procedures of the Freedom of Information Act (80 Stat. 383), as amended.

4. Written comments on a proposed contract or contract action must be submitted to the appropriate Reclamation officials at the locations and within the time limits set forth in the advance public notices.

5. All written comments received and testimony presented at any public hearings will be reviewed and summarized by the appropriate regional office for use by the contract approving authority.

6. Copies of specific proposed contracts may be obtained from the appropriate Regional Director or his designated public contact as they become available for review and comment.

7. In the event modifications are made in the form of a proposed contract, the appropriate Regional Director shall determine whether republication of the notice and/or extension of the comment period is necessary.

Factors considered in making such a determination shall include, but are not limited to: (i) The significance of the modification, and (ii) the degree of public interest which has been expressed over the course of the negotiations. As a minimum, the Regional Director shall furnish revised contracts to all parties who requested the contract in response to the initial public notice.

Acronym Definitions Used Herein

(BCP) Boulder Canyon Project
(CAP) Central Arizona Project
(CUP) Central Utah Project
(CVP) Central Valley Project
(CRSP) Colorado River Storage Project
(D&MC) Drainage and Minor Construction
(FR) Federal Register
(IDD) Irrigation and Drainage District
(ID) Irrigation District
(M&I) Municipal and Industrial
(O&M) Operation and Maintenance
(P–SMBP) Pick-Sloan Missouri Basin Program
(Pub. L.) Public Law
(R&B) Rehabilitation and Betterment
(SRPA) Small Reclamation Projects Act

(WCUA) Water Conservation and Utilization Act
(WD) Water District

Pacific Northwest Region: Bureau of Reclamation, 1150 North Curtis Road, Boise, Idaho 83706–1234, telephone 208–378–5342.

1. Cascade Reservoir Water Users, Boise Project, Idaho: Repayment contracts for irrigation and M&I water; 19,201 acre-feet of stored water in Cascade Reservoir.

2. Irrigation, M&I, and Miscellaneous Water Users; Columbia Basin, Crooked River, Minidoka, Rathdrum Prairie, Rogue River Basin, and Umatilla Projects; Idaho, Montana, Oregon, and Washington: Temporary or interim repayment and water service contracts for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

3. Rogue River Basin Water Users, Rogue River Project, Oregon: Water service contracts; $5 per acre-foot or $50 minimum per annum for the term of the contract.

4. Willamette Basin Water Users, Willamette Basin Project, Oregon: Water service contracts; $1.75 per acre-foot or $50 minimum per annum for the term of the contract.

5. American Falls Reservoir District Number 2, Burgess Canal Company, Clark and Edwards Canal and Irrigation Company, Craig-Mattson Canal Company, Danskin Ditch Company, Enterprise Canal Company, Ltd., Farmers Friend Irrigation Company, Ltd., Lenroot Canal Company, Liberty Park Canal Company, Long Island Irrigation Company, Parks and Lewisville Irrigation Company, Ltd., Parson Ditch Company, Peoples Canal and Irrigation Company, Poplar ID, Rigby Canal and Irrigating Company, Rudy Irrigation Canal Company, Ltd., Wearyrick Ditch Company, all in the Minidoka Project, Idaho; Juniper Flat ID, Wapinitia Project, Oregon; Roza ID, Yakima Project, Washington: Amendatory repayment and water service contracts; purpose is to conform to the Reclamation Reform Act of 1982 (Pub. L. 97–293).

6. City of Cle Elum, Yakima Project, Washington: Amendatory or replacement M&I water service contract; 2,200 acre-feet (1,350 gallons per minute) annually for the term of the contract.

7. Baker Valley ID, Baker Project, Oregon: Irrigation water service contract on a surplus interruptible basis to serve up to 13,000 acres; sale of excess capacity in Mason Reservoir (Phillips Lake) for the term of the contract.

8. Willow Creek Water Users, Willow Creek Project, Oregon: Repayment or water service contracts for a total of up to 3,500 acre-feet of storage space in Willow Creek Reservoir.

9. Bridgeport ID, Chief Joseph Dam Project, Washington: Warren Act contract for the use of an irrigation outlet in Chief Joseph Dam.

10. Hermiston ID, Umatilla Project, Oregon: Repayment contract for reimbursable cost of dam safety repairs to Cold Springs Dam.

11. Ochoco ID and Various Individual Spaceholders, Crooked River Project, Oregon: Repayment contract for reimbursable cost of dam safety repairs to Arthur R. Bowman and Ochoco Dams.

12. The Dalles ID, The Dalles Project, Oregon: SRPA loan repayment contract; proposed loan obligation of approximately $2,000,000.

13. Oroville-Tonasket ID, Chief Joseph Dam Project, Washington: SRPA loan repayment contract; $661,500 proposed loan obligation.

14. State of Idaho, Payette Division of the Boise Project, Idaho: Proposed repayment contracts with the State of Idaho for the sale of uncontracted space in Cascade and Deadwood Reservoirs.

15. Sidney Irrigation Cooperative, Willamette Basin Project, Oregon: . Irrigation water service contract for approximately 2,300 acre-feet; $1.75 per acre-foot for the term of the contract.

16. P.P.R.T. Water System, Inc., Idaho: Amendatory contract to defer the 1992 construction installment of a contract for a loan to construct facilities authorized pursuant to the Emergency Drought Act of 1977.

17. Douglas County, Milltown Hill Project, Oregon: SRPA loan repayment contract; proposed loan obligation of approximately $24.5 million and grant of approximately $5.8 million.

18. Mitigation, Inc., Palisades/Ririe Projects, Idaho: Contract for storage space in Palisades and Ririe Reservoirs (18,980 and 80,500 acre-feet, respectively) pursuant to section 5(a) of the Fort Hall Indian Water Rights Act of 1990.

19. U.S. Fish and Wildlife Service, Boise Project, Idaho: Irrigation water service contract for the use of approximately 200 acre-feet of storage space annually in Anderson Ranch Reservoir. Water to be used on crops for wildlife mitigation purposes.

20. City of Madras, Deschutes Project, Oregon: Renewal or replacement of municipal water service contract for approximately 125 acre-feet annually from the project water supply.

21. Willamette Basin water users, Willamette Basin Project, Oregon: Add language to water service contract to provide for periodic reviews, with adjustments if necessary to mitigate for impacts to natural resources.

22. Vale ID, Vale Project, Oregon: Repayment contract for emergency drought loan for construction of water saving measures, including the replacement of open ditches with buried pipe, utilizing funds appropriated by Pub. L. 102–27.

23. Williamette Basin water users, Willamette Basin Project, Oregon: Two water service contracts for the exchange of up to 225 acre-feet of water for diversion above project reservoirs.

24. Hermiston ID, Stanfield ID, West Extension ID, Westland ID; Umatilla Project, Oregon: Irrigation water service contracts for lands outside existing district boundaries for 1993, with possible renewal for one additional year.

25. Lewiston Orchards ID, Lewiston Orchards Project, Idaho: Repayment contract for reimbursable cost of dam safety repairs to reservoir "A."

26. Yakima Board of Control, Yakima Project, Washington: Repayment contract for reimbursable cost of dam safety repairs to Bumping Lake Dam.

Mid-Pacific Region: Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825–1898, telephone 916–978–5030.

1. Tuolumne Utility District (formerly Tuolumne Regional WD), CVP, California: Water service contract for up to 9,000 acre-feet from New Melones Reservoir.

2. Irrigation water districts, individual irrigators, M&I and miscellaneous water users, California, Oregon, and Nevada: Temporary (interim) water service contracts for available project water for irrigation, M&I, or fish and wildlife purposes providing up to 10,000 acre-feet of water annually for terms up to 5 years; temporary Warren Act contracts for use of project facilities for terms up to 1 year; long-term contracts for similar service for up to 1,000 acre-feet annually.

Note: Copies of the standard forms of temporary water service contracts for the various types of service are available upon written request from the Regional Director at the address shown above.

3. Delta-Mendota Canal Contractors, CVP, California: Amend water service contracts to include the provision of the Act of July 2, 1956 (70 Stat. 483) and/or the Act of June 21, 1963 (77 Stat. 68) and to update standard articles and other provisions to meet current laws and policies.

4. Friant Division Contractors, CVP, California: Renewal of existing long-

term water service contracts with contractors on the Friant-Kern and Madera Canals or diverters from Millerton Reservoir; most contracts expire 1993–1997, two contracts expire later; water quantities in existing contracts range from 1,200 to 175,440 acre-feet. These contract actions will be accomplished through 3-year interim contracts with subsequent 2-year interim contracts until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

5. Contra Costa WD, CVP, California: Amendatory water service contract to add the operation of the Los Vaqueros Project, including an additional point of delivery; the amendment will also conform the contract to current Reclamation policies, including the water ratesetting policy, and Pub. L. 102–575.

6. Redwood Valley County WD, SRPA, California: District is considering restructuring the repayment schedule pursuant to Pub. L. 100–516 or prepaying the loan at a discounted rate pursuant to Pub. L. 102–575.

7. Madera ID, Hidden Unit, CVP, California: Renewal of existing water service contract for 24,000 acre-feet of water which expires February 28, 1994. This contract action will be accomplished through a 3-year interim contract with a subsequent 2-year interim contract until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

8. Chowchilla WD, Buchanan Unit, CVP, California: Renewal of existing water service contract for 24,000 acre-feet of water which expires February 28, 1994. This contract action will be accomplished through a 3-year interim contract with a subsequent 2-year interim contract until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

9. Truckee Carson ID, Newlands Project, Nevada: New repayment contract for the unpaid construction cost repayment obligation from the original contract which was terminated on August 17, 1983, by the U.S. District Court in Nevada.

10. San Luis WD, CVP, California: Amendatory water service contract to provide that the District pay full O&M rate for all deliveries resulting from the Azhderian Pumping Plant enlargement and the cost of service rate for such deliveries beginning in 1996 and each year thereafter.

11. Delta Mendota Canal Contractors, CVP, California: Renewal of existing long-term water service contracts with contractors on the Delta-Mendota Canal whose contracts expire in 1994–2003; water quantities in existing contracts range from 70 to 50,000 acre-feet. These contract actions will be accomplished through 3-year interim contracts with subsequent 2-year interim contracts until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

12. City of Redding, CVP, California: Amendment to Contract No. 14–06–200–5272A to add a point of diversion at the turnout, Spring Creek Power Conduit, to facilitate proposed water treatment plant for Buckeye service area.

13. U.S. Department of Veteran Affairs, CVP, California: Long-term contract, which will conform to Pub. L. 102–575, for M&I water purposes in support of the new San Joaquin Valley National Cemetery near Santa Nella, California.

14. Century Ranch Water Company, Inc., CVP, California: Long-term exchange contract for M&I, less than 100 acre-feet; Stony Creek Watershed above Black Butte Dam.

15. State of California, Department of Forestry, CVP, California: Water right exchange agreement, less than 100 acre-feet, above Black Butte Dam.

16. San Luis WD, CVP, California: Amendment to Contract No. 14–06–200–7773A to include assigned lands and allocated share of CVP water supply to San Luis WD from Romero WD and comply with Pub. L. 102–575.

17. Romero WD, CVP, California: Amendment to Contract No. 14–06–200–7758 to assign lands and allocated share of CVP water supply to San Luis WD and comply with Pub. L. 102–575.

18. IDs and similar water user entities, CVP, California: Amendatory water service contracts; to change the definition of "year" to conform to the standard CVP water year of March 1 through the end of February.

19. Sacramento River water rights settlement contractors, CVP, California: Contract amendment for assignment under voluntary land ownership transfers to provide for the current CVP water rates and update standard contract articles.

20. Sierra Pacific Power Company, Pyramid Lake Tribe, Washoe County Water Conservation District; Washoe and Truckee-Storage Projects; Nevada and California: Interim storage contract, authorized under Pub. L. 101–618, and the provision of the Warren Act as supplemented by the Reclamation States Emergency Drought Act to convey and/or store non-project water in Stampede Reservoir and in Boca Reservoir.

21. Naval Air Station and Truckee Carson ID, Newlands Project, Nevada: Amend water service Agreement No. 14–06–400–1024 for the use of project water on Naval Air Station land.

22. Del Puerto WD, CVP, California: Amend water service Contract No. 14–06–200–922 to include M&I use.

23. El Dorado County Water Agency, San Juan Suburban WD, and Sacramento County Water Agency, CVP, California: M&I water service contract to supplement existing water supply: 15,000 acre-feet for El Dorado County Water Agency, 13,000 acre-feet for San Juan Suburban WD, and 22,000 acre-feet for Sacramento County Water Agency.

24. Non-Federal entity, CVP, California: Cost-sharing agreement with a yet to be determined non-Federal entity for the Folsom Dam and Reservoir reoperation.

25. Central Coast Water Authority, Cachuma Project, California: Long-term Warren Act contract for use of Cachuma Project facilities when excess capacity exists. A total of 13,750 acre-feet of water per year from the California State Water Project will be made available under a Warren Act contract to users along the South Coast of California.

26. Pershing County Water Conservation District, Humboldt Project, Nevada: Safety of Dams repayment contract for modification of Rye Patch Dam; reimbursable obligation of the District approximately $1,050,000.

27. California Department of Fish and Game, CVP, California: Renewal of existing long-term agreement for furnishing water for fish hatchery purposes.

28. Widren WD, CVP, California: Amend water service Contract No. 14–06–200–8018 to include M&I use, conform to Pub. L. 102–575 and assign water supply to the city of Tracy.

29. Corning Canal, Tehama-Colusa Canal, and Cross Valley Canal; CVP; California: Renewal of existing long-term water service contracts with contractors on the Canals, whose contracts expire in 1995; water quantities in existing contracts range from 400 to 62,200 acre-feet. These contract actions will be accomplished through 3-year interim contracts with subsequent 2-year interim contracts until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

30. Bella Vista WD, CVP, California: Renewal of existing long-term water service contract which expires December 31, 1994; water quantity in existing contract is 24,000 acre-feet. This contract action will be accomplished through a 3-year interim contract with a subsequent 2-year interim contract until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

31. Clear Creek Community Service District, CVP, California: Renewal of existing long-term water service contract which expires December 31, 1994; water quantity in existing contract is 15,300 acre-feet. This contract action will be accomplished through a 3-year interim contract with a subsequent 2-year interim contract until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

32. Gateway WD, CVP, California: Combine by assignment twelve Delta-Mendota Canal water service contracts into 1-entity to be renamed Gateway WD for administrative and operation purposes.

33. U.S. Fish and Wildlife Service, California Department of Fish and Game, Grassland WD; CVP; California: Water service contracts to provide Level II water supplies for refuges within the CVP pursuant to Pub. L. 102–575; exchange agreements and wheeling contracts to deliver some of the increased refuge water supplies; quantity to be contracted for is approximately 416,000 acre-feet.

34. Monterey County Resources Agency, Castroville Irrigation Water Supply Project, SRPA, California: Loan repayment contract in the amount of $32,600,000 to construct an irrigation distribution system to reduce sea water intrusion in the ground water aquifers.

35. Monterey Regional Water Pollution Control Agency, Water Reclamation Facility for Crop Irrigation Project, SRPA, California: Loan repayment contract in the amount of $20,544,400 to reduce sea water intrusion in the ground water aquifers.

36. San Juan Suburban WD, CVP, California: Renewal of existing long-term water service contract which expires February 28, 1995; water quantity in existing contract is 11,200 acre-feet. This contract action will be accomplished through a 3-year interim contract with a subsequent 2-year interim contract until the CVP Environmental Impact Statement is completed pursuant to Pub. L. 102–575.

37. Shasta Dam Area Public Utility District, CVP California: Amendment of existing temporary contract to extend contract term and to comply with terms and conditions of Pub. L. 102–575.

38. Santa Barbara County Water Agency, Cachuma Project, California: Amend water service contract to renew or convert as authorized by the Act of July 2, 1956 (70 Stat. 483) and/or the Act of June 21, 1963 (77 Stat. 68) and to update standard articles and other provisions to meet current laws and policies.

39. State of California, CVP, California: Cost sharing agreement with State of California pursuant to CVP Improvement Act (Pub. L. 102–575). The cost sharing agreement with the State will provide for the general principles and administration of cost sharing and implementation of specific restoration actions identified in Pub. L. 102–575.

Lower Colorado Region: Bureau of Reclamation, P.O. Box 61470 (Nevada Highway and Park Street), Boulder City, Nevada 89006–1470, telephone 702–293–8536.

1. Agricultural and M&I water users, CAP, Arizona: Water service subcontracts for percentages of available supply reallocated in 1992 for irrigation entities and up to 640,000 acre-feet per year allocated in 1983 for M&I use.

2. Southern Arizona Water Rights Settlement Act: Sale of up to 28,200 acre-feet per year of municipal effluent to the city of Tucson, Arizona.

3. Milton and Jean Phillips, Kenneth or Ann Easterday, Robert E. Harp, Cameron Brothers Construction Co., Ogram Farms, Bruce Church, Inc., Stephen Sturgas, Sunkist Growers, Inc., Clayton Farms, BCP, Arizona: Water service contracts, as recommended by Arizona Department of Water Resources, with agricultural entities located near the Colorado River for up to an additional 15,557 acre-feet per year total.

4. Arizona State Land Department, State of Arizona, BCP, Arizona: Contract for 6,607 acre-feet per year of Colorado River water for agricultural use and related purposes on State-owned land. This contract action reflects an increase in a prior contract recommendation in the amount of 6,292 acre-feet per year.

5. Armon Curtis, Arlin Dulin, Jacy Rayner, Glen Curtis, Jamar Produce Corporation, and Ansel T. Hall, BCP, Arizona: Water service contracts; purpose is to amend their contracts to exempt them from the Reclamation Reform Act of 1982 (Pub. L. 97–293).

6. Indian and non-Indian agricultural and M&I water users, CAP, Arizona: New and amendatory contracts for repayment of Federal expenditures for construction of distribution systems.

7. Imperial ID, Lower Colorado Water Supply Project, California: Contract providing for O&M of the project well field.

8. Lower Colorado Water Supply Project, California: Waters service and repayment contracts with nonagricultural users in California adjacent to the Colorado River for an aggregate consumptive use of up to 10,000 acre-feet of Colorado River water per year in exchange for an equivalent amount of water to be pumped into the All-American Canal from a well field to be constructed adjacent to the canal.

9. County of San Bernardino, San Sevaine Creek Water Project, SRPA, California: Repayment contract for a $28.6 million loan.

10. Tohono O'odham Nation, SRPA, Arizona: Repayment contract for a $7.3 million loan for the Schuk Toak District.

11. Bullhead City, Consolidated Water Co., Lake Havasu City, Havasu Water Co., Quartzsite, McAllister Subdivision. city of Parker, Marble Canyon, and Arizona State Land Department, BCP, Arizona: Contracts for additional M&I allocations of Colorado River water to entities located along the Colorado River in Arizona for up to 15,146 acre-feet per year as recommended by the Arizona Department of Water Resources.

12. National Park Service for Lake Mead National Recreation Area, Supreme Court Decree in *Arizona* v. *California*, and BCP in Arizona and Nevada: Memorandum of Understanding for delivery of Colorado River water for the National Park Service's Federal Establishment present perfected right of 500 acre-feet of diversions annually, and the National Park Service's Federal Establishment perfected right pursuant to Executive Order No. 5125 (April 25, 1930).

13. Imperial ID and/or The Metropolitan WD of Sourthern California, BCP, California: Construction and funding contract to conserve water along a portion of the All-American Canal in accordance with Title II of the All-American Canal Lining Act, dated January 25, 1988.

14. Coachella Valley WS and/or The Metropolitan WD of Southern California, BCP, California: Construction and funding contract to conserve water along a portion of the Coachella Branch of the All-American Canal in accordance with Title II of the All-American Canal Lining Act, dated January 25, 1988.

15. Elsinore Valley Municipal WD, Temescal Valley Project, SRPA, California: Repayment contract for a $22.3 million loan.

16. Mohave Valley ID, BCP, Arizona: Amendment of current contract for additional Colorado River water, change in service areas, diversion points, and RRA exemption.

17. Miscellaneous present perfected rights entitlement holders, BCP, Arizona and California: Contracts for entitlements of Colorado River water as decreed by the U.S. Supreme Court in *Arizona* v. *California*, as supplemented or amended, and as required by section 5 of the BCP. Miscellaneous present perfected rights holders are listed in the *Arizona* v. *California* settlement.

18. Federal Establishment present perfected rights entitlement holders: Individual contracts for administration of Colorado River water entitlements of the Colorado River, Fort Mojave, Quechan, Chemehuevi, and Cocopah Indian Tribes.

19. Yuma County Water Users' Association, Yuma Project, Arizona: Contract to enable the Association to administer non-irrigation water within its service area.

20. City of Yuma, BCP, Arizona: Amendment to Contract No. 14–067–W–106 for additional points of diversion.

21. City of Yuma, BCP, Arizona: Amendment to Contract 14–06–W–106 for an additional point of diversion to provide water delivery to Yuma Cogeneration Associates for use at a Cogeneration Plant.

22. Imperial ID and The Metropolitan WD of Southern California, BCP, California: Temporary contract to store approximately 200,000 acre-feet of water that is expected to be saved over a 2-year period under a test water savings program that involves land fallowing and a modified irrigation plan for alfalfa.

23. Crystal Beach Water Conservation District, BCP, Arizona: Contract for delivery of 132 acre-feet per year of Colorado River water for domestic use, as recommended by the Arizona Department of Water Resources.

24. Southern Nevada Water Authority, BCP, Nevada: Assignment of a portion of the Colorado River Commission's entitlement to the Southern Nevada Water Authority. Revision of water delivery contracts concerning points of diversion and delivery with the cities of Henderson and Boulder City, Big Bend WD, and the Colorado River Commission regarding the Robert B. Griffith Water Project.

25. HoHoKam ID; Central Arizona Water Conservation District; and the cities of Chandler, Glendale, Mesa, Phoenix, Scottsdale, and Tempe; CAP; Arizona: Principles of agreement, agreement, and support arrangements to provide the cities with Cliff Dam replacement water and provide for the repayment of HoHoKam ID Federal indebtedness.

26. Gila River Farms, SRPA, Arizona: Amendatory contract to reschedule May 1, 1991, payment over the remaining repayment period.

27. Bureau of Land Management, BCP, Arizona: Contract for 1,176 acre-feet per year, for agricultural use, of Arizona's Colorado River water that is not used by higher priority Arizona entitlement holders.

28. Curtis Family Trust et al., BCP, Arizona: Contract for 2,100 acre-feet per year of Colorado River water for agricultural water.

29. Fort McDowell Indian Community, CAP, Arizona: Water service contract for 13,933 acre-feet per year under the Fort McDowell Indian Community Water Rights Settlement Act of 1990.

30. Town of Payson, CAP, Arizona: Assignment of Payson's CAP water entitlement of 4,995 acre-feet per year to the city of Scottsdale.

31. Beattie Farms SW, BCP, Arizona: Contract for 1,890 acre-feet per year of unused Arizona entitlement for agricultural use.

32. Section 10 Backwater, BCP, Arizona: Contract for 250 acre-feet per year of unused Arizona entitlement for environmental use until a permanent water supply can be obtained.

Upper Colorado Region: Bureau of Reclamation, P.O. Box 11568, (125 South State Street), Salt Lake City, Utah 84147, telephone 801–524–5435.

1. Individual irrigators, M&I, and miscellaneous water users, Utah, Wyoming, Colorado, and New Mexico: Temporary (interim) water service contracts for surplus project water for irrigation of M&I use to provide up to 10,000 acre-feet of water annually for terms up to 10 years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

(a) The Benevolent and Protective Order of the Elks, Lodge No. 1747, Farmington, New Mexico: Navajo Reservoir water service contract; 20 acre-feet per year for municipal use.

2. Southern Ute Indian Tribe, Animas-La Plata Project, Colorado: Repayment contract for 26,500 acre-feet per year for M&I use and 2,600 acre-feet per year for irrigation use in Phase One and 700 acre-feet in Phase Two; contract terms to be consistent with binding cost sharing agreement and water rights settlement agreement.

3. Ute Mountain Ute Tribe, Animas-La Plata Project, Colorado and New Mexico: Repayment contract; 6,000 acre-feet per year for M&I use in Colorado; 26,400 acre-feet per year for irrigation use in Colorado; 900 acre-feet per year for irrigation use in New Mexico; contract terms to be consistent with binding cost sharing agreement and water rights settlement agreement.

4. Navajo Indian Tribe, Animas-La Plata Project, New Mexico: Repayment contract for 7,600 acre-feet per year for M&I use.

5. La Plata Conservancy District, Animas-La Plata Project, New Mexico: Repayment contract for 9,900 acre-feet per year for irrigation use.

6. Vermejo Conservancy District, Vermejo Project, New Mexico: Amend contract pursuant to Pub. L. 96–550 to relieve the district of the requirement to make annual payments until the Secretary of the Interior determines that further payments are feasible; the current obligation exceeds $2 million.

7. San Juan Pueblo, San Juan-Chama Project, New Mexico: Repayment contract for up to 2,000 acre-feet of project water for irrigation purposes.

8. City of El Paso, Rio Grande Project, Texas and New Mexico: Amendment to the 1941 and 1962 contracts to expand acreage owned by the city to 3,000 acres; extend terms of water rights assignments; and allow assignments outside city limits under authority of the Public Service Board.

9. Mancos Water Conservancy District, Mancos Project, Colorado: Amendatory contract to remove contract restrictions that prevent the Mancos Water Conservancy District from developing hydropower on the Mancos Project.

10. The National Park Service, Bureau of Land Management, Colorado Water Conservation Board, Wayne N. Aspinall Unit, CRSP, Colorado: Contract for between 180,000 to 740,000 acre-feet of project water to provide specific river flow patterns in the Gunnison River through the Black Canyon of the Gunnison National Monument.

11. Upper Gunnison River Water Conservancy District, Wayne N. Aspinall Unit, CRSP, Colorado: Water service contract for 500 acre-feet for 1 year for municipal and domestic use.

12. Upper Gunnison River Water Conservancy District, Wayne N. Aspinall Unit, CRSP, Colorado: Substitute supply plan for the administration of the Gunnison River.

13. Collbran Conservancy District, Collbran Project, Colorado: Amendatory contract defining priority of use of project water.

14. U.S. Fish and Wildlife Service, North Fork Water Conservancy District, Paonia Project, Colorado: Contract for releases to support endangered fish in the Gunnison and Colorado Rivers; water available for releases will come from reserve capacity held by Reclamation as a sediment pool, estimated to be 1,800 acre-feet annually; contract will define the terms and conditions associated with delivery of this water.

15. Rio Grande Water Conservation District, Closed Basin Division, San Luis Valley Project, Colorado: Water service contract for furnishing priority 4 water to third parties; contract will allow District to market priority water, when available, for agricultural, municipal and/or industrial use.

16. Bridger Valley Water Conservancy District, Lyman Project, Wyoming: Repayment contract under safety of dams program for the repair of Meeks Cabin Dam.

17. State of Wyoming, Seedskadee Project, Wyoming: Approval of a water service contract between the State and Exxon for 300 acre-feet.

18. Uncompahgre Valley Water Users Association, Upper Gunnison River Water Conservancy District, Colorado River Water Conservation District, Uncompahgre Project, Colorado: Water management agreement for water stored at Taylor Park Reservoir and the Wayne N. Aspinall Storage Units to improve water management.

Great Plains Region: Bureau of Reclamation, P.O. Box 36900, Federal Building, 316 North 26th Street, Billings, Montana 59107–6900, telephone 406–657–6413.

1. Individual irrigators, M&I, and miscellaneous water users; Montana, Wyoming, North Dakota, South Dakota, Colorado, Kansas, Nebraska, Oklahoma, and Texas: Temporary (interim) water service contracts for the conveyance, storage, and exchange of surplus project water and nonproject water for irrigation or M&I use to provide up to 10,000 acre-feet of water annually for terms up to 5-years; long-term contracts for similar service for up to 1,000 acre-feet of water annually.

2. Fort Shaw ID, Sun River Project, Montana: R&B loan repayment contract; up to $1.5 million.

3. Green Mountain Reservoir, Colorado-Big Thompson Project, Colorado: Water service contracts for irrigation, municipal, and industrial purposes; contract negotiations for sale of water from the marketable yield to water users within the Colorado River Basin of western Colorado.

4. Ruedi Reservoir, Fryingpan-Arkansas Project, Colorado: Repayment contracts; second round contract negotiations for municipal, domestic, and industrial water from the regulatory capacity of Ruedi Reservoir.

5. Cedar Bluff ID No. 6, Cedar Bluff Unit, P–SMBP, Kansas: In accordance with Section 901 of Pub. L. 102–575, 106 Stat. 4600, terminate the Cedar Bluff Irrigation District's repayment contract and transfer use of the District's portion of the reservoir storage capacity to the State of Kansas for fish, wildlife, recreation, and other purposes.

6. Garrison Diversion Unit, P–SMBP, North Dakota: Renegotiation of the master repayment contract with Garrison Diversion Conservancy District to conform with the Garrison Diversion Unit Reformulation Act of 1986; negotiation of repayment contracts with irrigators and M&I users.

7. Corn Creek ID, Glendo Unit, P–SMBP, Wyoming: Repayment contract for 10,350 acre-feet of supplemental irrigation water from Glendo Reservoir.

8. East Bench ID, East Bench Unit, P–SMBP, Montana: D&MC contract for $300,000 for minor construction work for up to a 10-year period.

9. Foss Reservoir Master Conservancy District, Washita Basin Project, Oklahoma: Amendatory repayment contract for remedial work.

10. Arbuckle Master Conservancy District, Arbuckle Project, Oklahoma: Contract for the repayment of costs of the construction of the Sulphur, Oklahoma, pipeline and pumping plant (if constructed).

11. Chinook Water Users Association, Milk River Project, Montana: SRPA contract for loan of up to $6,000,000 for improvements to the Association's water conveyance system.

12. Midvale ID, Riverton Unit, P–SMBP, Wyoming: Long-term contract for water service from Boysen Reservoir.

13. Tom Green County Water Control and Improvement District No. 1, San Angelo Project, Texas: Contingent upon passage of authorizing legislation, negotiate amendatory contract to increase irrigable acreage within the project.

14. Palmetto Ben Project, Texas: Amendment of the tripartite contract among the United States, the Lavaca-Navidad River Authority and the Texas Water Development Board to transfer the Board's remaining repayment obligation and interest in the Palmetto Bend Project to the Authority.

15. Canadian River Municipal Water Authority, Canadian River Project, Texas: Amendatory contract to reflect credit for project lands transferred to the National Park Service under Pub. L. 101–628 for the Lake Meredith National Recreation Area.

16. Lakeview ID, Shoshone Project, Wyoming: New long-term water service contract for up to 3,200 acre-feet of firm water supply annually and up to 11,800 acre-feet of interim water from Buffalo Bill Reservoir.

17. Hidalgo County ID No. 6, Texas: SRPA contract for a 20-year loan for up to $5,712,900 to rehabilitate the District's irrigation facilities.

18. City of Rapid City and Rapid Valley Water Conservancy District, Rapid Valley Unit, P–SMBP, South Dakota: Contract renewal for up to 55,000 acre-feet of storage capacity in Pactola Reservoir.

19. Thirty Mile Canal Company, Nebraska: SRPA contract for a loan of $2,264,000 to reline the main canal, replace open laterals with buried pipe, and replace bridges.

20. City of Estes Park, Colorado-Big Thompson Project, Colorado: Modification of water service contract to change point of diversion and other administrative revisions.

21. Belle Fourche ID, Belle Fourche Unit, P–SMBP, South Dakota: Amendment to D&MC contract to extend work through 1995 and provide an additional $1 million to complete the work.

22. North Platte Project and Glendo Unit, P–SMBP, Wyoming and Nebraska contractors: Repayment contracts under safety of dams program for the modification of Pathfinder, Guernsey, and Glendo Dams.

23. State of Colorado, Armel Unit, P–SMBP, Colorado: Repayment contract under safety of dams program for the modification of Bonny Dam.

24. Ainsworth ID, Bostwick ID, Frenchman-Cambridge ID, Frenchman Valley ID, Kansas-Bostwick ID, Kirwin ID, Loup Basin Reclamation District, Webster, ID; P–SMBP; Kansas and Nebraska: Renewal of existing water service and repayment contracts for irrigation water supplies.

25. Mountain Park Master Conservancy District, Mountain Park Project, Oklahoma: In accordance with Section 3102 of Pub. L. 102–575, 106 Stat. 4600, amend the District's contract to reflect a discounted prepayment of the city of Frederick's obligation for the reimbursable costs of its M&I water supply.

26. Northern Cheyenne Indian Reservation, Montana: In accordance with Section 9 of the Northern Cheyenne Reserved Water Rights Settlement Act of 1992, the U.S. and the Northern Cheyenne Indian Tribe are proposing to contract for 30,000 acre-feet per year of stored water from Bighorn Reservoir, Yellowtrail Unit, Lower Bighorn Division, P–SMBP, in Montana. The Tribe will pay the U.S. both capital and O&M costs associated with each acre-foot of water the Tribe sells from this storage for M&I purposes.

27. Canadian River Municipal Water Authority, Canadian River Project, Texas: Contract for the United States to pay up to 33 percent of the costs of the salinity control project. These costs are to be used for the design and construction management of the project facilities.

28. Mid-Dakota Rural Water System, Inc., South Dakota: Pursuant to the Reclamation Projects Authorization and Adjustment Act of 1992, the Secretary of the Interior is authorized to make grants and loans to Mid-Dakota Rural Water System, Inc., a non-profit corporation

for the planning and construction of a rural water supply system.

Dated: July 19, 1993.

Stephen V. Magnussen,

Acting Assistant Commissioner, Program, Budget and Liaison.

[FR Doc. 93–17716 Filed 7–23–93; 8:45 am]

BILLING CODE 4310-09-M

Anadromous Fish Passage Improvements at Savage Rapids Dam, Grants Pass Division, Rogue River Basin Project, Oregon

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare a draft environmental impact statement.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation (Reclamation) intends to prepare a draft environmental impact statement (EIS) on implementation of alternative fish passage and protective measures at the Grants Pass Irrigation District Savage Rapids Dam (Dam) in southwest Oregon. The purpose of the action is to permanently resolve anadromous fish passage problems at the Dam. The proposed action has potential to increase the total number of fish migrating upstream by approximately 22 percent. In addition to biological values, the improvements would increase the number of adult fish available for harvest.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Christensen; Chief, Environmental and Biological Compliance Branch; Bureau of Reclamation (Code: PN–151), 1150 North Curtis Road, Boise ID 83706–1234; telephone (208) 378–5035.

SUPPLEMENTARY INFORMATION:

Background

Savage Rapids Dam was constructed in 1921 by the Grants Pass Irrigation District (GPID). Public Law 82–470 (July 1952) directed Reclamation to aid GPID by making emergency improvements to the dam. Public Law 84–641 (July 1957) authorized funding for construction of a fish screen at the intake to the turbines and pumps on the north side of the Dam. Public Law 92–199 (December 1971) directed Reclamation to conduct a feasibility investigation of the Grants Pass Division of the Rogue River Basin Project. Public Law 93–493 (October 1974) authorized funding for construction of interim fish passage measures at the Dam. The joint final EIS on these measures was published by Reclamation and the then Bureau of Sport Fisheries and Wildlife in 1976. Three major measures were subsequently implemented. These were: construction of bulkhead gates in front of the turbine/pump bays (to allow dewatering without the need to drain the reservoir); modifications to the south fish ladder; and installation of new fish screens at the entrance to the turbine/pump bays (to replace those installed by Reclamation under Public Law 84–641). Replacement of the north fish ladder was not accomplished as planned because the replacement cost was significantly greater than the funds provided by Congress. Further work on the passage problem was deferred while a pending license application for power development was being reviewed by Federal Energy Regulatory Commission (FERC). It was anticipated that a successful license applicant would have been required to include and fund fish passage facilities as a condition of its license. The FERC application was later invalidated through State legislative action preventing further power development on the Rogue River.

Current Activities

The present study began in 1988 with a scoping process that involved representatives of the Oregon Water Resources Department, the Oregon Department of Fish and Wildlife, Josephine County (County), the city of Grants Pass, GPID, the Soil Conservation Service, the National Marine Fisheries Service, the Fish and Wildlife Service, WaterWatch of Oregon, the Northwest Steelheaders, the Rogue Valley Flyfishers, the Isaac Walton League, and interested individuals as well as a consultant working for both the County and GPID. Subsequent to that initial scoping, in 1990 GPID was issued a temporary supplemental water right permit from the Oregon Water Resources Department. The permit allows GPID to continue to divert at its historic rate of 180 cubic feet per second (ft^3/s) rather than the certificated rate of 97 (ft^3/s. The strict stipulations of this permit require GPID to report to the Oregon Water Resources Commission by March 1994 on how GPID water diversions will be reduced to a rate commensurate with the currently irrigated acreage and on how the fish passage problems at the Dam will be corrected. This permit requires significant public involvement in the study through an oversight committee (Committee). Regular meetings of the Committee, which are open to the public, review progress towards meeting the terms of the permit. In addition, several public meetings have been held to educate the public about various aspects of the study and the alternatives being considered and to seek scoping input. GPID's board meetings, which are open to the public, also serve as a venue for collection of public input. Several major articles have appeared in the local newspaper regarding GPID's circumstances, reasons for increased water costs, and alternatives facing GPID. This ongoing activity has provided and will continue to provide considerable opportunities for addressing the alternatives and related environmental issues. Additional public meetings will be scheduled to encourage public and agency involvement in the study and environmental analysis. Because of the extensive public involvement associated with GPID's ongoing activities, no formal scoping meetings are planned in connection with preparation of the draft EIS.

Alternative Measures

Three major alternatives are being considered. These are (1) no action; (2) replacement of the existing fish ladders and screens along with improvements to the dam and river channel; and (3) removal of the dam in conjunction with construction of a pumping plant or plants to supply water to GPID's distribution system.

Potential Federal Action

Reclamation proposes seeking Federal authorization and funding for implementation of the preferred alternative once it is selected. A draft EIS is expected to be completed and available for review and comment during fiscal year 1994.

Anyone interested in more information concerning the study or who has suggestions as to significant environmental issues should contact Mr. Christensen as provided above.

Dated: July 20, 1993.

D. W. Webber,

Acting Deputy Commissioner.

[FR Doc. 93–17657 Filed 7–23–93; 8:45 am]

BILLING CODE 4310-09-M

Fish and Wildlife Service

Availability of a Draft Environmental Assessment

In the matter of: issuance of a section 10(a) Permit to Allow Incidental Take of the Coastal California Gnatcatcher (Polioptila californica californica) Present on the Coyote Hills East Project Site. In Accordance with the Implementation Agreement Incorporating the Habitat Conservation Plan to Mitigate Impacts On the Coastal California Gnatcatcher (*Polioptila californica californica*) and Cactis Wren (*Campylorhynchus brunneicapillus*) Present

on the Coyote Hills East Project Site, City of Fullerton, Orange County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes to issue a Permit under section 10(a)(1)(B) of the Endangered Species Act (Act) to allow incidental take of the coastal California gnatcatcher during otherwise lawful activities on the Coyote Hills East site. This action includes execution of the Implementation Agreement (Agreement) incorporating the Habitat Conservation Plan (HCP) to mitigate impacts on the coastal California gnatcatcher (*Polioptila californica californica*) and cactus wren (*Campylorhynchus brunneicapillus*) present on the Coyote Hills East Site, City of Fullerton, Orange County, California. The Agreement would ensure full implementation of the HCP and would establish a framework for issuance of a Permit under section 10(a)(1)(B) in the event of a Federal listing of the cactus wren. Issuance of a Permit for the cactus wren would be subject to unforeseen circumstances and public review under the Act and National Environmental Policy Act (NEPA).

The Service announces the availability of the Draft Environmental Assessment (DEA) for the issuance of the Permit, the HCP, and the Agreement. This notice is provided pursuant to Section 10(c) of the Act and NEPA regulations. (40 CFR 1506.6(b)).

DATES: Written comments on the DEA, HCP, and Agreement should be received on or before August 25, 1993.

ADDRESSES: Persons who wish to review the DEA, HCP, and Agreement may obtain a copy by writing the Carlsbad Field Office. Documents will be made available by written request for public inspection, by appointment, during normal business hours at the Carlsbad Field Office. Written data or comments concerning the document should be submitted to the Field Supervisor, Carlsbad Field Office, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. Please reference Permit No. PRT–768184 in your comments.

FOR FURTHER INFORMATION CONTACT: Mr. Loren Hays at the Carlsbad Field Office (telephone number 619–431–9440).

SUPPLEMENTARY INFORMATION:

Background

Unocal Land and Development Company proposes to complete grading and construction of the Coyote Hills East development project located within the city of Fullerton, Orange County, California. The site covers 391 acres and currently contains a 110-acre patch of coastal sage scrub vegetation. During 1991, 1992, and 1993, approximately 10 pairs of gnatcatchers and 6 pairs of cactus wren were recorded using the on-site coastal sage scrub.

The site is isolated from other natural areas by urban development. The nearest natural open space to the site containing coastal sage scrub habitat occurs approximately 3 miles west of the site in the West Coyote Hills. The relative isolation of the Coyote Hills East site and the stability of the on-site population of California gnatcatchers makes the Coyote Hills East a suitable conservation planning area. The biological effects of the proposed project, both beneficial and adverse, would not influence the population dynamics of regionally important gnatcatcher population located south and west of the site in the San Joaquin Hills and east of the site in the foothills of the Santa Ana Mountains.

Implementation of the project would transform the project site into a golf-course residential community containing a total of 883 dwelling units, an 18 hole golf course, parks, and natural open space. Grading associated with the project would remove 45.48 acres of coastal sage scrub from the project site. Over the course of site grading, the habitat comprising the home ranges of some gnatcatcher and cactus wren pairs would be completely or partially removed. Grading for the proposed project would be completed in five phases over a 20-month period. Each phase of grading would be accompanied by coastal sage scrub revegetation. During the entire 20 months of site grading, the total amount of coastal sage scrub (existing plus revegetated) will be greater than the current (pre-grading) extent of habitat. Following site development, there will be a net gain of 15.19 acres of coastal sage scrub.

The HCP and Agreement detail the project actions that would result in take of California gnatcatchers and cactus wren and specific actions that will be incorporated as project actions to mitigate such takings. Mitigation measures include a coastal sage scrub revegetation program, a brown-headed cowbird trapping program, habitat buffers, habitat fencing, and full funding for long-term conservation commitments.

This DEA considers the environmental effects of four alternatives, including the proposed action and the no action alternative. Based on the comparative analysis of the adverse and beneficial impacts associated with the four alternatives, it is concluded that the proposed action is the preferred and environmentally superior alternative. The no action alternative would result in no loss of habitat; however, conservation measures included in the HCP would not be implemented, and the current risks of extinction effecting the California gnatcatcher and cactus wren populations would persist, as would the development pressures on this in-fill property.

The implementation of the HCP and issuance of the Permit would allow for development that is compatible with the conservation of the on-site California gnatcatchers and cactus wrens, and long-term management of these populations. The proposed action would (1) reduce impacts to coastal sage scrub habitat, the California gnatcatcher, and the cactus wren; (2) result in the implementation of the conservation programs within the HCP; and (3) meet the fiscal needs of the project applicant. Other alternatives are likely to result in the demise of these populations. As a result, all alternatives to the proposed action were rejected.

The HCP is consistent with regional conservation planning efforts and continued development of the Natural Communities Conservation Plan (NCCP) in north Orange County. The HCP establishes conservation measures, monitoring programs, and long-term maintenance plans based on 4 years of ecological studies on the site. Further, the HCP provides a mechanism for guaranteed funding of conservation programs in perpetuity. These combined attributes are the foundation for the regional conservation plans to be incorporated into the Orange County NCCP.

Dated: July 19, 1993.

Marvin L. Plenert,

Regional Director, U.S. Fish and Wildlife Service, Portland, Oregon.

[FR Doc. 93–17654 Filed 7–23–93; 8:45 am]

BILLING CODE 4310-55-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–653 (Preliminary)]

Sebacic Acid From China

AGENCY: United States International Trade Commission.

ACTION: Institution and scheduling of a preliminary antidumping investigation.

SUMMARY: The Commission hereby gives notice of the institution of preliminary antidumping investigation No. 731–TA–653 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from China of sebacic acid,[1] provided for in subheading 2917.13.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. The Commission must complete preliminary antidumping investigations in 45 days, or in this case by September 2, 1993.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

EFFECTIVE DATE: July 19, 1993.

FOR FURTHER INFORMATION CONTACT: George Deyman (202–205–3197), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

SUPPLEMENTARY INFORMATION:

Background

This investigation is being instituted in response to a petition filed on July 19, 1993, by Union Camp Corporation, Wayne, New Jersey.

Participation in the investigation and public service list.

Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in §§ 201.11 and 207.10 of the Commission's rules, not later than seven (7) days after publication of this notice in the **Federal Register**. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.

Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this preliminary investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made not later than seven (7) days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference

The Commission's Director of Operations has scheduled a conference in connection with this investigation for 9:30 a.m. on August 9, 1993, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Parties wishing to participate in the conference should contact Doug Corkran (202–205–3177) not later than August 4, 1993, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

Written submissions

As provided in §§ 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before August 12, 1993, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties may file written testimony in connection with their presentation at the conference no later than three (3) days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of the Tariff Act of 1930, title VII. This notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: July 21, 1993.

Donna R. Koehnke,

Secretary.

[FR Doc. 93–17697 Filed 7–23–93; 8:45 am]

BILLING CODE 7020–02–P

[1] Sebacic acid is an acyclic dicarboxylic acid with a carbon chain link of 10 which is derived from castor oil.

[Investigation No. 337–TA–350]

Certain Sputtered Carbon Coated Computer Disks and Products Containing Same, Including Disk Drives

In the matter of certain sputtered carbon coated computer disks and products containing same, including disk drives; notice of decision to review an initial determination granting motions for partial summary determination on the issue of jurisdiction; request for written submissions.

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review an initial determination (ID) (Order No. 50) issued on July 2, 1993 ("the July 2 ID"), by the presiding administrative law judge (ALJ) in the above-captioned investigation granting the motions for partial summary determination on the issue of jurisdiction filed by respondents Komag, Inc. ("Komag") and Digital Equipment Corp. ("Digital").

FOR FURTHER INFORMATION CONTACT: Marc A. Bernstein, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–3087.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation, which concerns allegations of section 337 violations in the importation, sale for importation, and sale after importation of sputtered carbon-coated computer disks ("sputtered disks") and products containing such disks, including disk drives, on May 5, 1993. Complainant Aine alleges infringement of claims 23, 24, 25, 26, and 29 of U.S. Letters Patent Re 32,464 ("the '464 patent").

In its motion for partial summary determination, Komag asserted that the Commission does not have jurisdiction under section 337 with respect to its sputtered disk manufacturing activities

in the United States. Digital, a manufacturer of disk drives, similarly argued that the Commission does not have section 337 jurisdiction with respect to those disk drives that it assembles containing U.S.-manufactured sputtered disks. Both Komag and Digital asserted that the jurisdictional issues raised by their motions were identical to those in six previous motions for summary determination or partial summary determinations filed by other respondents to the investigation which the ALJ granted in an ID issued on May 28, 1993 ("the May 28 ID"). In that ID, the ALJ concluded that the Commission does not have section 337 jurisdiction over domestically-manufactured articles. Complainant Harry E. Aine opposed the Komag and Digital motions.

In the July 2 ID, the ALJ grants the Komag and Digital partial summary determination motions on the basis of the May 28 ID. On June 30, 1993, the Commission issued a notice indicating that it would review the May 28 ID.

Having reviewed the record in this investigation, including the ID, the Commission has determined on its own motion to review the July 2 ID. Review of the July 2 ID will be consolidated with review of the May 28 ID. Consequently, the issues under review, form of written submissions, and filing deadlines for written submissions with respect to the July 2 ID will be the same as those specified in the June 30, 1993 notice for the May 28 ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. section 1337, and Commission interim rules 210.55 and 210.56, 19 CFR section 210.55, 210.56.

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202–205–2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

Dated: July 21, 1993.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 93–17695 Filed 7–23–93; 8:45 am]

BILLING CODE 7020–02–P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32323]

The Dubois County Railroad Corp., Trackage Rights Exemption, Norfolk Southern Railway Co.; Notice of Exemption

Norfolk Southern Railway Company (NS) has agreed to grant local and overhead trackage rights to The Dubois County Railroad Corporation (DCRC) (formerly The Southern Indiana and Ohio River Railway Company) over 16.38 miles of rail line operated by Indiana Hi-Rail Corporation. The trackage rights extend from the connection with NS at Huntingburg, IN (milepost 46.92 EB) to the connection with DCRC at Dubois, IN (milepost 63.3 EB). The trackage rights were to become effective on July 14, 1993.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Carl M. Miller, Miller, Harper & Rorick, P.O. Box 332, New Haven, IN 46774.

As a condition to the use of this exemption, any employees affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: July 16, 1993.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93–17668 Filed 7–23–93; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 32297

Grand Rapids Eastern Railroad, Inc.—Purchase, Lease and Operation Exemption—Rail Lines of Central Michigan Railroad Co.

Grand Rapids Eastern Railroad, Inc. (GRE), a noncarrier,[1] has filed a notice of exemption to purchase, lease and operate approximately 39.0 miles of rail line owned by Central Michigan Railroad company (CM). GRE is acquiring approximately 37.5 miles of main rail line between milepost 159.5 in Grand Rapids, MI and milepost 122.0 in Ionia, MI. GRE also will lease from CM approximately 1.5 miles of branch line in Grand Rapids, which branch connects the main line at milepost 158.2 to the facilities of Grand Rapids Press. The transaction became effective on July 9, 1993.

Any comments must be filed with the Commission and served on: Kelvin J. Dowd, Slover & Loftus, 1224 17th St., NW, Washington, DC 20036.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is to void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: July 19, 1993.

By the Commission, David M. Konschnik, Director Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 93–17669 Filed 7–23–93; 8:45 am]

BILLING CODE 7035–01–M

[1] GRE is a wholly-owned subsidiary of RailTex, Inc., a noncarrier holding company that currently controls 11 class III railroads, including the Mid—Michigan Railroad Company (MMR). The lines to be acquired by GRE connect with those of MMR and, as such, RailTex will not be able to invoke the continuance in control class exemption at 49 CFR 1180.2(d)(2) to retain control of GRE after it became a carrier. To avoid an unlawful control violation, GRE states that its stock was placed in an independent voting trust pursuant to 49 CFR part 1013.1 *et seq.*, prior to its completion of the acquisition. RailTex will be filing a petition for exemption under 49 U.S.C. 10505 and 11343, seeking approval to dissolve the voting trust and to assume control of GRE.

DEPARTMENT OF JUSTICE

Information Collections Under Review

The Office of Management and Budget (OMB) has been sent the following collection(s) of information proposals for review under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35) and the Paperwork Reduction Reauthorization Act since the last list was published. Entries are grouped into submission categories, with each entry containing the following information:

(1) The title of the form/collection;

(2) The agency form number, if any, and the applicable component of the Department sponsoring the collection;

(3) How often the form must be filled out or the information is collected;

(4) Who will be asked or required to respond, as well as a brief abstract;

(5) An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond;

(6) An estimate of the total public burden (in hours) associated with the collection; and,

(7) An indication as to whether Section 3504(h) of Public Law 96–511 applies.

Comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the OMB reviewer, Mr. Jeff Hill on (202) 395–7340 and to the Department of Justice's Clearance Officer, Mr. Lewis Arnold, on (202) 514–4305. If you anticipate commenting on a form/collection, but find that time to prepare such comments will prevent you from prompt submission, you should notify the OMB reviewer and the DOJ Clearance Officer of your intent as soon as possible. Written comments regarding the burden estimate or any other aspect of the collection may be submitted to Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Mr. Lewis Arnold, DOJ Clearance Officer, SPS/JMD/5031 CAB, Department of Justice, Washington, DC 20530.

Extension of the Expiration Date of a Currently Approved Collection Without Any Change in the Substance or in the Method of Collection

(1) Refugee/Asylee Relative Petition.

(2) I–730. Immigration and Naturalization Service.

(3) On occasion.

(4) Individuals or Households. This form will be used to file petition on behalf of the applicant's spouse and/or child who has never had refugee or asylee status.

(5) 2,500 annual responses at .083 hours per response.

(6) 207 annual burden hours.

(7) Not applicable under 3504(h).

(1) Application for Registration, Application for Registration (Renewal).

(2) DEA Form 363, DEA Form 363a.

(3) DEA 363 on occasion, DEA 363a annually.

(4) State or local governments, businesses or other for-profit, non-profit institutions.

(5) 900 annual responses at .5 hours per response.

(6) 450 annual burden hours.

(7) Not applicable under 3504(h).

Public comment on these items is encouraged.

Dated: July 20, 1993.

Lewis Arnold,

Department Clearance Officer, Department of Justice.

[FR Doc. 93–17664 Filed 7–23–93; 8:45 am]

BILLING CODE 4410–10–M

Immigration and Naturalization Service

[INS No. 1396–92]

RIN 1115–AD36

Form I–589, Request for Asylum in the United States

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice.

SUMMARY: This notice provides information on the submission of INS Form I–589, Request for Asylum in the United States, revised 8/1/91. This notice advises the public that prior versions of the form will no longer be accepted after August 25, 1993. The form must be submitted to the Immigration and Naturalization Service when an individual is applying for asylum in the United States.

FOR FURTHER INFORMATION CONTACT: Christine Davidson, Senior Policy Analyst, Office of International Affairs, Immigration and Naturalization Service, 425 I Street, NW., Washington, DC 20536, Attn: ULLICO, Third Floor; Telephone (202) 633–4389.

EFFECTIVE DATE: August 25, 1993.

Dated: July 9, 1993.

Chris Sale,

Acting Commissioner, Immigration and Naturalization Service.

[FR Doc. 93–17692 Filed 7–23–93; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

Advisory Council on Employee Welfare and Pension Benefits Plans; Meeting

Pursuant to the authority contained in section 512 of the Employee Retirement Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting of the Working Group on Defined Contribution Plans 401(k) of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held at 9:30 a.m./Noon, Thursday, August 19, 1993, in Suite N–3437 AB, U.S. Department of Labor Building, Third and Constitution Avenue, NW., Washington, DC 20210.

This Working Group was formed by the Advisory Council to study issues relating to Defined Contribution Plans—401(k) for employee benefit plans covered by ERISA.

The purpose of the August 19 meeting is to take testimony regarding the implication of the growth in Defined Contribution Plans, including 401(k) Plans. The Working Group will also take testimony and or submissions from employee representatives, employer representatives and other interested individuals and groups regarding the subject matter.

Individuals, or representatives of organizations wishing to address the Working Group should submit a written request on or before August 16, 1993 to William E. Morrow, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N–5677, 200 Constitution Avenue, NW., Washington, DC 20210. Oral presentations will be limited to ten minutes, but witnesses may submit an extended statement for the record.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statement should be sent to the Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before August 16, 1993.

Signed at Washington, DC, this 20th day of July, 1993.

Olena Berg,

Assistant Secretary, Pension and Welfare Benefits Administration.

[FR Doc. 93–17693 Filed 7–23–93; 8:45 am]

BILLING CODE 4510–29–M

Advisory Council on Employee Welfare and Pension Benefits Plans; Meeting

Pursuant to the authority contained in section 512 of the Employee Retirement Security Act of 1974 (ERISA), 29 U.S.C. 1142, a public meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on Friday, August 20, 1993, in Suite N–3437 AB, U.S. Department of Labor Building, Third and Constitution Avenue, NW., Washington, DC 20210.

The purpose of the Eightieth meeting of the Secretary's ERISA Advisory Council which will begin at 12:30 p.m./4 p.m., is to hear reports on the status of the three work group efforts and conduct any other business that may come before the Council. The Council has established three work groups i.e., Economically Targeted Investments, Prohibited Transactions and Defined Contribution Plans—401(k). The Council will also take testimony and or submissions from employee representatives, employer representatives and other interested individuals and groups regarding any aspect of the administration of ERISA.

Members of the public are encouraged to file a written statement pertaining to any topic concerning ERISA by submitting 20 copies on or before

August 16, 1993 to William E. Morrow, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, suite N–5677, 200 Constitution Avenue, NW., Washington, DC 20210. Individuals, or representatives of organizations wishing to address the Advisory Council should forward their request to the Executive Secretary or telephone (202) 219–8753. Oral presentations will be limited to ten minutes, but witnesses may submit an extended statement for the record.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statement should be sent to the Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before August 16, 1993.

Signed at Washington, DC, this 20th day of July, 1993.

Olena Berg,

Assistant Secretary, Pension and Welfare Benefits Administration.

[FR Doc. 93–17694 Filed 7–23–93; 8:45 am]

BILLING CODE 4510–29–M

NATIONAL COUNCIL ON THE HUMANITIES

Meeting

July 19, 1993.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, as amended) notice is hereby given that a meeting of the National Council on the Humanities will be held in Washington, DC on August 12–13, 1993.

The purpose of the meeting is to advise the Acting Chairman of the National Endowment for the Humanities with respect to policies, programs, and procedures for carrying out his functions, and to review applications for financial support and gifts offered to the Endowment and to make recommendations thereon to the Chairman.

The meeting will be held in the Old Post Office Building, 1100 Pennsylvania Avenue NW., Washington, DC. A portion of the morning and afternoon sessions on August 12–13, 1993, will not be open to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of title 5, United States Code because the Council will consider information that may disclose: Trade secrets and commercial or financial information obtained from a person and privileged or confidential; information of a personal nature the disclosure of which will constitute a clearly unwarranted invasion of personal privacy; and information the disclosure of which would significantly frustrate implementation of proposed agency action. I have made this determination under the authority granted me by the Chairman's Delegation of Authority dated July 19, 1993.

The agenda for the sessions on August 12, 1993, will be as follows:

8:30–9 a.m.: Coffee for Council Members—Room 527 (Open to the Public)

Committee Meetings

(Open to the Public)

Policy Discussion

9–10 a.m., Education Programs—Room M–14, Fellowship Programs—Room 315, Public Programs—Room 415, Research Programs/Preservation and Access—Room M–07, State Programs and Office of Outreach—Room 507

10 a.m. until Adjourned: (Closed to the Public) Discussion of specific grant applications before the Council

The morning session on August 13, 1993, will convene at 9 a.m., in the 1st Floor Council Room, M–09, and will be open to the public, as set out below. The agenda for the morning session will be as follows:

(Coffee for Staff and Council members will be served from 8:30–9 a.m.)

Minutes of the Previous Meeting

Reports

A. Introductory Remarks
B. Introduction of New Staff
C. Contracts Awarded in the Previous Quarter
D. Budget Report
E. Legislative Report
F. Committee Reports on Policy and General Matters Overview
1. Education Programs
2. Fellowships Programs
3. Public Programs
4. Research Programs
5. Preservation and Access
6. State Programs and Office of Outreach.

The remainder of the proposed meeting will be given to the consideration of specific applications (closed to the public for the reasons stated above).

Further information about this meeting can be obtained from Mr. David C. Fisher, Advisory Committee Management Officer, Washington, DC 20506, or call area code (202) 606–8322, TDD (202) 606–8282. Advance notice of any special needs or accommodations is appreciated.

David C. Fisher,

Advisory Committee Management Officer.

[FR Doc. 93–17611 Filed 7–23–93; 8:45 am]

BILLING CODE 7536–01–M

PEACE CORPS

Compliance With Privacy Act of 1974; System of Records

AGENCY: Peace Corps of the United States.

ACTION: Notice of establishment of new system of records.

SUMMARY: On June 1, 1993, the Peace Corps published a notice of a proposed new system of records, the Office of Inspector General (OIG) Investigative Files and Records. The new system of records facilitates the OIG's ability to collect, maintain, use and disclose information in support of the OIG's investigative activities relating to Peace Corps programs and operations. The Peace Corps is adopting that proposal in this notice.

EFFECTIVE DATE: This notice is effective August 25, 1993.

FOR FURTHER INFORMATION CONTACT: Jeffrey Rush, Jr., Acting Inspector General, Office of Inspector General, or Margaret E. Aira, Legal Counsel, Office of Inspector General, Room 5300, 1990 K Street NW., Washington, DC 20526. Telephone: (202) 606–3320. TDD (202) 606–1313 for party relay message. Copies of this notice may be obtained in an alternate format upon request.

SUPPLEMENTARY INFORMATION: As required by 5 U.S.C. 552a(e)(4), on June 1, 1993, the Peace Corps published a notice of a proposed new system of records consisting of the Office of Inspector General (OIG) Investigative Files and Records (58 FR 31223). The system of records being established enables the PC OIG to carry out its statutory responsibilities under the Inspector General Act Amendments of 1988 (Pub. L. 100–504).

In a separate notice, the Peace Corps published a notice of proposed rulemaking to amend 22 CFR part 308 to exempt this system of records from certain provisions of 5 U.S.C. 552a pursuant to subsections (j)(2) and (k)(2) of section (58 FR 31181). A notice of final rulemaking adopting that rule is published in the rules and regulations section of today's **Federal Register**.

No comments have been received from the public or the Office of Management and Budget on the proposed establishment of this system of records. Accordingly, the Peace Corps adopts the proposal to establish the following system of records:

System Number: PC–19

SYSTEM NAME:

Office of Inspector General Investigative Files and Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Inspector General, Peace Corps, 1990 K Street, NW., Room 5300, Washington, DC 20526.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

(A) Subjects of investigations or complaints, including (but not necessarily limited to) current and former PC employees (including foreign service nationals), trainees, and Volunteers; current and former experts, consultants, contractors and their employees; other parties doing business with the PC; and other individuals whose acts or omissions relate to alleged violations of any law or regulation which affects the integrity of operations or facilities of the PC.

(B) Witnesses, complainants, confidential or nonconfidential informants, suspects, or parties who have been identified by the OIG or by other agencies, and members of the general public as within the authorized functions of the Inspector General.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence related to investigations: Letters, memoranda and other documents describing or related to complaints of alleged criminal or administrative misconduct; information provided by subjects, witnesses, and governmental investigatory or law enforcement organizations; reports of investigation, including related affidavits, statements from witnesses, memoranda of interviews, transcripts of testimony taken in the investigation and accompanying exhibits; documents and records or copies obtained during the investigation; working pages of the staff, investigators' notes, and other documents and records relating to the investigation; information about criminal, civil, or administrative referrals; and opening reports, progress reports, and closing reports with recommendations for corrective action.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Inspector General Act of 1978, as amended (5 U.S.C. App. 3) and 5 U.S.C. 301.

PURPOSE(S):

Pursuant to the Inspector General Act of 1978, as amended, the system is maintained for the purposes of (1) Conducting and documenting investigations by the OIG or other investigative agencies regarding PC programs and operations, both domestic and foreign, and reporting the results of investigations to other Federal agencies, other public authorities or professional organizations which have the authority to bring criminal or civil prosecutions, to take administrative actions, or to impose other disciplinary sanctions; (2) documenting the outcome of OIG investigations; (3) maintaining a record of the activities which were the subject of investigations; (4) reporting investigative findings to other PC offices for their use in operating and evaluating their programs or operations, and in the imposition of civil or administrative sanctions; (5) coordinating relationships with other Federal, State and local governmental agencies, and nongovernmental entities in matters relating to the statutory responsibilities of the OIG; and (6) acting as a repository and source for information necessary to fulfill the reporting requirements of the Inspector General Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. A record in the system of records may be disclosed, as a routine use, to other agencies, offices, establishments, and authorities, whether federal, state, local, foreign, or self-regulatory (including, but not limited to, organizations such as professional associations or licensing boards), authorized or with the responsibility to investigate, litigate, prosecute, enforce, or implement a statute, rule, regulation, or order, where the record or information, by itself or in combination with other records or information:

(a) Indicates a violation or potential violation of law, whether criminal, civil, administrative, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, or

(b) Indicates a violation or potential violation of a professional, licensing, or similar regulation, rule or order, or otherwise reflects on the qualifications or fitness of an individual who is licensed or seeking to be licensed.

2. A record from the system of records may be disclosed, as a routine use, to any source, private or governmental, to the extent necessary to secure from such source information relevant to, and sought in furtherance of, a legitimate OIG investigation, inspection or audit.

3. A record from the system of records may be disclosed, as a routine use, to a Federal, State, local or foreign agency maintaining civil, criminal or other relevant enforcement information, or other pertinent records, if necessary to obtain information relevant to a PC decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, or the letting of a contract.

4. A record from the system of records may be disclosed, as a routine use, to other agencies, offices or establishments of the executive, legislative, or judicial branches of the federal or state government:

(a) Where such agency, office, or establishment has an interest in the individual for employment purposes, including a security clearance or determination as to access to classified information, and needs to evaluate the individual's qualifications, suitability, or loyalty to the United States Government or

(b) Where an agency, office or establishment conducts an investigation of the individual for purposes of granting a security clearance, or making a determination of qualifications, suitability, or loyalty to the United States Government or access to classified information or restricted areas, or

(c) Where the records or information in those records are relevant and necessary to a decision with regard to the hiring or retention of an employee or disciplinary or other administrative action concerning the employee, or

(d) Where disclosure is requested in connection with the award of a contract or other determination relating to a government procurement, or the issuance of a license, grant or other benefit by the requesting agency, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter, including but not limited to, disclosure to any Federal agency responsible for considering suspension or debarment action where such record would be germane to a determination of the propriety or necessity of such action, or disclosure to the United States General Accounting Office, the General Services Administration Board of Contract Appeals, or any other Federal contract board of appeals in cases relating to an agency procurement.

5. A record from the system of records may be disclosed, as a routine use, to the Department of Justice to the extent necessary for obtaining its advise on any matter relevant to an OIG investigation, audit, inspection, or other inquiry related to the responsibilities of the OIG, including advice concerning the accessibility of a record or information under the Privacy Act or Freedom of Information Act.

6. A record from the system of records may be disclosed, as a routine use, to a Congressional Office as described in General Routine Use number 7.

7. A record from the system of records may be disclosed, as a routine use, to the Office of Special Counsel where relevant and necessary to carry out its functions and relevant and necessary to

carry out OIG operations to detect and prevent fraud, waste, and abuse.

8. In the event of litigation, a record from the system of records may be disclosed, as a routine use, to the Department of Justice, other counsel or representative for the PC, a court, adjudicative body (including but not limited to the Merit Systems Protection Board and Equal Employment Opportunity Commission), individual or entity designated by the OIG or PC to resolve disputes, and/or a potential witness where disclosure is relevant and necessary to the litigation and is compatible with the purpose for which the records were collected. Such a disclosure may be made in the event that one of the parties listed below is involved in the litigation, or has an interest in such litigation: (i) PC, or any component of the Agency; (ii) Any employee of PC in his or her official capacity; (iii) Any employee of PC in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (iv) the United States, where PC determines that the litigation is likely to affect the Agency or any of its components.

9. A record from the system of records may be disclosed, as a routine use, to the Office of Management and Budget for the purpose of obtaining its advice regarding agency obligations under the Privacy Act, or in connection with the review of private relief legislation.

10. A record from the system of records may be disclosed, as a routine use, to debt collection contractors for the purpose of collecting delinquent debts as authorized by the Debt Collection Act of 1982, 31 U.S.C. 3718.

11. A record from the system of records may be disclosed, as a routine use, to independent auditors or other private firms with which the OIG has contracted to carry out an independent audit or investigation, or to analyze, collage, aggregate or otherwise refine data collection in the system of records, subject to the requirement that such contractors shall maintain Privacy Act safeguards with respect to such records.

12. A record from the system of records may be disclosed, as a routine use, to the U.S. Ambassador or his or her designee in host countries where the Peace Corps serves as described in General Routine Use number 9.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The files consist of paper records maintained in folders and an automated data base maintained on computer diskettes. The folders and diskettes are stored in locked metal file cabinets. The file cabinets are located in secured offices in the Office of the Inspector General.

RETRIEVABILITY:

The records are retrieved by the name of the subject of the investigation. The records are retrieved by manual or computer search of alphabetical indices or cross-indices. Indices list names and known addresses of individuals, companies, and organizations.

SAFEGUARDS:

The records are available only to those persons whose official duties require such access. The records are kept in limited access areas during duty hours and in locked file cabinets in locked offices at all other times.

RETENTION AND DISPOSAL:

Files containing information or allegations, which are of an investigative nature but do not relate to a specific investigation, are retained for a period of 5 years and then destroyed. All other investigative files are placed in inactive files when the case is closed. Closed case files are retained for 10 years and then destroyed, unless the record is deemed to have historical significance.

SYSTEM MANAGER AND ADDRESS:

Inspector General, Office of Inspector General, Peace Corps, 1990 K Street, NW., Room 5300, Washington, DC 20526.

NOTIFICATION PROCEDURES:

Individuals seeking to determine whether this system of records contains information pertaining to themselves should write to the System Manager at the above address, furnishing his or her name, address, and social security number.

RECORD ACCESS PROCEDURES:

See Notification Procedures above.

CONTESTING RECORD PROCEDURES:

See Notification Procedures above.

RECORD SOURCE CATEGORIES:

Peace Corps and other Federal, State and local government records; interviews of witnesses; documents and other material furnished by nongovernmental sources. Sources may include confidential sources

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to, and limited by, 5 U.S.C. 552a(j)(2), this system of records is exempt from all the provisions of 5 U.S.C. 552a, except subsections (b), (c)(1) and (2), (e)(4)(A) through(F), (e)(6), (7), (9), (10), and (11), and (i), insofar as the system contains information pertaining to criminal law enforcement investigations. This system of records is also exempt from the provisions of 22 CFR 308.11 through 308.17 to the extent that the provisions of these sections conflict with this paragraph.

Pursuant to, and limited by, 5 U.S.C. 552a(k)(2), this system of records is exempt from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) insofar as it contains investigatory materials compiled for law enforcement purposes. This system of records is also exempt from the provisions 22 CFR 308.11 through 308.17 to the extent that the provisions of these section conflict with this paragraph.

Dated: July 14, 1993.

John P. Hogan,

Acting Director, Peace Corps of the United States.

[FR Doc. 93–17261 Filed 7–23–93; 8:45 am]

BILLING CODE 6051–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–32649; File No. SR–CSE–93–02]

Self-Regulatory Organizations; Filing of Proposed Rule Change by Cincinnati Stock Exchange, Inc. Relating to an Amendment to CSE Rule 11.9(a)(8) Defining "Professional Agency Orders" To Include Futures Commission Merchants and Members of Contract Markets

July 16, 1993.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on May 24, 1993, the Cincinnati Stock Exchange, Inc. ("CSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CSE hereby proposed to amend Exchange Rule 11.9(a)(8) which describes "professional agency orders" in that the proposed change relates to the agreement between the CSE and The Chicago Board of Trade ("CBOT") allowing joint members to access the

CSE's National Securities Trading System ("NSTS") via the CBOT's Board of Trade Work Station ("BOTWS").

The text of the proposed rule change is available at the Office of the Secretary, CSE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The CSE is modifying the definition of professional agency orders to include orders entered for the account of futures commission merchants and members of a contract market. The inclusion coincides with the agreement reached between the CSE and CBOT whereby joint members will be able to include their CSE NSTS order entry screen on their CBOT BOTWS work station computer. The CSE entered into the agreement for the purpose of reducing the burden on joint members that multiple terminals and telecommunication linkages would impose if the member was required to maintain separate NSTS and BOTWS terminals. The agreement provides joint members with the flexibility to choose to include the NSTS system used by the CSE within the CBOT's BOTWS system, and thus save desk space and associated costs that would be present if two separate terminals were required. The CSE believes that the agreement will provide members with an efficient computerized telecommunications linkage to the markets where they are members.

The inclusion of the NSTS trading screen on the BOTWS terminal will allow joint CBOT/CSE members to enter stock orders via NSTS directly from the floor of the CBOT if that is where the member locates their BOTWS terminal. While such member can enter stock orders from the CBOT floor via phone or other telecommunication network already in place, the NSTS screen will give the CSE member more direct access for his or her stock orders. The CBOT has represented that no BOTWS terminals will be allowed within a trading pit and that their locations are in member firm booths around the trading floor. Additionally, a CBOT member that makes markets in futures on a stock index will not be allowed to make markets in stocks that comprise that index on CSE NSTS terminals located on the floor of the CBOT. The CSE believes that by limiting the terminal locations and accessibility and implementing the surveillance procedures for joint members that have been reached under a separate agreement, any concerns regarding potential side-by-side trading will be addressed.

2. Statutory Basis

The proposed rule change is consistent with Sections 6(b) of the Act in general and furthers the objectives of Section 6(b)(5) in particular in that the proposed rule change removes impediments to and perfects the mechanism of a free and open market while not discriminating between customers, issuers, brokers or dealers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The CSE does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the publication of this notice in the **Federal Register** or within such other period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the CSE. All submissions should refer to File No. SR–CSE–93–02 and should be submitted by August 16, 1993.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 93–17609 Filed 7–23–93; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–32644; File No. SR–GSCC–93–06]

Self-Regulatory Organizations; Government Securities Clearing Corp; Filing of Proposed Rule Change Relating To Disciplining of Members

July 16, 1993.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] notice is hereby given that on June 25, 1993, the Government Securities Clearing Corporation ("GSCC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II, and III below, which items have been prepared by the self-regulatory organization. On July 6, 1993, GSCC filed Amendment No. 1 to the proposed rule change.[2] The Commission is publishing this notice to solicit

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Amendment No. 1 amended certain sections of the proposed rule change to require that the hearing panel be composed of a majority of non-management directors; to clarify that under Rule 37, Section 6 the initial hearing will not affect a member's right to appeal the panel's determination pursuant to that section; and to revise Rule 45, Section 3 to require that a member's request for a hearing be made within ten business days after receiving notice from GSCC of a proposed sanction. Letter from Jeffrey Ingber, General Counsel, GSCC to Christine Sibille, Attorney, Commission (July 6, 1993).

comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change would modify GSCC Rules 1 (Definitions), 37 (Hearing Procedures), 45 (Notices), and 48 (Disciplinary Proceedings), to revise GSCC's procedures for disciplining members.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, GSCC included statements concerning the purpose of, and basis for, the proposed rule change, and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. GSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) GSCC, as a registered clearing agency, is expected to have disciplinary rules that allow it to enforce compliance by its members with this rules, and to promote good conduct by members generally. These rules must incorporate basic "due process" features, such as providing the affected member with notification of the disciplinary action to be taken against it and a procedure pursuant to which it can contest the action.

Currently, GSCC has in place specific rules governing the circumstances pursuant to which it may take certain disciplinary actions against a member, such as increasing a member's margin requirements, ceasing to act for a member, terminating a member's membership in either or both of the comparison and netting systems, and/or liquidating a member's positions. Also, subject to Commission approval of a pending filing,[3] GSCC will have in place rules governing the specific consequences of a failure of a member to maintain an applicable membership standard.

GSCC also has in place a general disciplinary rule,[4] which was adopted prior to the commencement of GSCC's comparison and netting services. In GSCC's view, this rule is overly broad and provides insufficient guidance to management and to members as to the process to be followed by GSCC in disciplining members for rules violations and other improper conduct.

GSCC is proposing a more detailed disciplinary procedure that will allow it to better fulfill its responsibilities as a self-regulatory organization. Its basic features are as follows:

1. Initial Procedure

- There would continue to be a general rule governing disciplinary action to address violations of GSCC's rules and other actions that constitute an abuse or misuse of GSCC's processes and services or otherwise reflect "conduct detrimental to GSCC's operations."
- The Membership and Standards Committee (of GSCC's Board of Directors ("Board")) ("Committee"), which would meet monthly (as necessary), would act as a disciplinary committee to address such violations and detrimental conduct.[5]
- Management would be responsible for presenting rules violations and actions that, in their opinion, constitute detrimental conduct, to the Committee, for the Committee's determination as to what, if any, disciplinary action is appropriate.

2. Major Offenses

- Rules violations or incidents of detrimental conduct would be classified as either major or minor in nature.
- Major offenses generally would involve either misconduct involving the funds or securities obligations of a member or deliberate acts of fraud or misconduct by a member.
- A member committing a major offense would be subject to one or more of a number of disciplinary actions, including termination of its membership in either or both of the comparison and netting systems, having GSCC cease to act for it, the imposition of a higher minimum Clearing Fund requirement, and/or a fine of up to $5,000. Disciplinary actions involving ceasing to act or termination of membership in the comparison or netting system would continue to require Board approval.
- The maximum fine amount of $5.000 would be defined so as to exclude any amounts sought by GSCC to directly recompense it for costs and expenses incurred as the result of a member's misconduct. The member must pay all fines within 90 days from notice of imposition of the fine.
- In addition, after a determination has been made by the Committee that a major offense has been committed, a letter automatically would be sent to senior management of the member requiring that a written explanation be provided to GSCC as to why the offense occurred and the actions taken and/or to be taken to ensure that it will not reoccur. If appropriate under the circumstances, representatives of senior management of the member may be required to appear in person before the Committee to provide such explanation.

3. Minor Offenses

- Repeated offenses of a minor nature by a member may cause the member to be deemed to have committed a major offense.
- A member committing a minor offense is subject to a fine or other disciplinary action, not to include GSCC ceasing to act for it or termination of membership.
- While a minor offense may not result in the imposition of a fine or other disciplinary action, for each such offense, GSCC automatically will send a letter to the management of the member that commits the offense informing it of its commission of the offense.

4. Hearing Procedure

- If the Committee (with the Board's approval in certain cases) determines that any type of disciplinary action should be taken against a member, GSCC would be obligated to notify the member of such. In this notification, GSCC would state the reasons for the disciplinary action, and would inform the member of its right to a hearing to contest the action. After receiving this notice, a member would have ten business days to file a written request for a hearing.[6]
- Hearings on disciplinary actions that, under GSCC's rules, require approval by the Board,[7] would be before a panel of five directors selected by the Board.[8] Hearings on all other disciplinary actions would be before a panel of three Committee members selected by the Committee. Both panels must be composed of a majority of

[3] See Securities Exchange Act Release No. 32208 April 26, 1993), 58 FR 26367 (notice of filing of roposed rule change relating to GSCC membership tandards).

[4] GSCC Rule 48, Section 1.

[5] Currently, GSCC management performs this function.

[6] The current rules require that a written request for hearing be filed within seven business days from receipt of notice. GSCC Rule 45, Section 3.

[7] The imposition of any disciplinary action involving ceasing to act or termination of membership in either or both of the comparison system or the netting system requires Board approval

[8] Currently, all hearings are before a panel of the Board consisting of one to five directors, depending upon the sanction imposed.

directors who are not also GSCC officers.

• A member would be able to appear before the panel in person (with its counsel, if it so chooses) to contest the planned disciplinary action. Alternatively, in lieu of a personal appearance, the member could submit to the panel documentary evidence in support of its claim that the planned disciplinary action is inappropriate.

• GSCC would inform the member of the panel's determination, as well as the member's right to appeal further to the full Board.[9]

• If the panel's decision is adverse to the member, the sanction is effective immediately.

5. Appeal of a Panel's Determination

• The Board would be presented with the record of the panel hearing at its next regularly scheduled meeting. Its determination ordinarily would be made based upon a review of that record. A member would not have the right to appear in person before the Board to contest the determination of the panel; however, the Board could permit such a personal appearance in its discretion.

• Any appeal of the Board decision would have to be made to the Commission.

(b) GSCC believes the proposed rules changes will enhance and bring more clarity to GSCC's procedures for disciplining its members for actions constituting rules violations or other misconduct, in a manner consistent with due process considerations. Thus, GSCC believes that the proposed rules changes are consistent with the requirements of Section 17A of the Act and the rules and regulations thereunder.

B. Self-Regulatory Organization's Statement on Burden on Competition

GSCC does not believe that the proposed rule will have an impact or impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change, Received From Members, Participants, or Others

Comments on the proposed rule change have not yet been solicited or received. Members will be notified of the rule filing, and comments will be solicited, by an Important Notice. GSCC will notify the Commission of any written comments it receives on this matter.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reason for so finding, or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Pubic Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of GSCC. All submissions should refer to File No. SR–GSCC–93–06 and should be submitted by August 16, 1993.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 93–17610 Filed 7–23–93; 8:45 am]

BILLING CODE 8010–01–M

[9] Currently, a member does not have a right of appeal within GSCC, but the Board has the discretion to reverse the decision of the Board panel. This discretion would be eliminated under the proposed rule change in favor of a more formal appeal process.

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #2660]

Wisconsin (and Contiguous Counties in Minnesota); Declaration of Disaster Loan Area

As a result of the President's major disaster declaration on July 2, 1993, I find that the Counties of Calumet, Clark, Columbia, Dunn, Eau Claire, Fond Du Lac, Green Lake, Jackson, Marquette, Outagamie, Portage, Sauk, Trempealeau, Waupaca, Waushara, Winnebago, and Wood in the State of Wisconsin constitute a disaster area as a result of damages caused by severe storms and flooding beginning on June 7, 1993 and continuing. Applications for loans for physical damage may be filed until the close of business on September 1, 1993, and for loans for economic injury until the close of business on April 4, 1994, at the address listed below: U.S. Small Business Administration, Disaster Area 2 Office, One Baltimore Place, Suite 300, Atlanta, Georgia 30308; or other locally announced locations. In addition, applications for economic injury loans from small businesses located in the contiguous Counties of Adams, Barron, Brown, Buffalo, Chippewa, Dane, Dodge, Iowa, Juneau, La Crosse, Manitowoc, Marathon, Monroe, Pepin, Pierce, Polk, Richland, Shawano, Sheboygan, St. Croix, Taylor, Vernon, and Washington in Wisconsin, and Winona County in Minnesota may be filed until the specified date at the above location.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	8.000
Homeowners Without Credit Available Elsewhere	4.000
Businesses With Credit Available Elsewhere	8.000
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	4.000
Others (Including Non-Profit Organizations) With Credit Available Elsewhere	7.625
For Economic Injury:	
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 266006 and for economic injury the numbers are 792900 for Wisconsin and 793000 for Minnesota.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: July 7, 1993.

Bernard Kulik,

Assistant Administrator for Disaster Assistance.

[FR Doc. 93–17680 Filed 7–23–93; 8:45 am]

BILLING CODE 8025–01–M

[Applicant No. 99000061]

Pacific Mezzanine Fund, L.P.; Application to Operate as a Small Business Investment Company Licensee

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.4 of the Regulations governing small business investment companies (13 CFR 107.102 (1993)) by Pacific Mezzanine Fund, L.P. (PMF), for a license to operate as a limited partnership small business investment company (SBIC) under the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661 et seq.).

The initial investors in the Applicant, and their percent of ownership are as follows:

Name and address	Ownership (Percent)
General Partner: Pacific Private Capital G.P., 88 Kearny Street, Suite 1850, San Francisco, Calif. 94108	1.0
Limited Partners: BBU Mezzanine Fund II, 88 Kearny Street, Suite 1850, San Francisco, Calif. 94108	49.5
Bernardo Quintana Isaac, New Atlas Holdings, Ltd., 8 Church Street, Jersey, Channel Islands	15.0

PMF will be managed by Pacific Private Capital G.P. The General Partners of Pacific Private Capital G.P. are:

Name and address	Percent ownership and manager
Nathan W. Bell, 10 Camelford Court, Moraga, Calif. 94556	50
David C. Woodward, 115 10th Avenue, San Francisco, Calif. 94118	50

The Applicant, PMF, a California Limited Partnership will begin operations with $10,026,010 paid-in capital and paid-in surplus. PMF will conduct its activities primarily in the Western States but will consider investments in businesses in other areas of the United States.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness in accordance with the SBA Rules and Regulations.

Notice is further given that any person may, not later than 30 days from the date of publication of this Notice, submit written comments on the proposed applicant. Any such communication should be addressed to the Associate Administrator for Investment, Small Business Administration, 409 Third Street SW., Washington, DC 20416.

A copy of this Notice shall be published in a newspaper of general circulation in San Francisco, California.

(Catalog of Federal Domestic Assistant program No. 59.011, Small Business Investment Companies)

Dated: July 19, 1993.

Wayne S. Foren,

Associate Administrator for Investment.

[FR Doc. 93–17681 Filed 7–23–93; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF STATE

Bureau of Administration

[Public Notice 1834]

Public Information Collection Requirement Submitted to OMB for Review

AGENCY: Department of State.

ACTION: The Department of State has resubmitted the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

SUMMARY: Sections 207 and 208 of the Comprehensive Anti-Apartheid Act of 1986 (CAAA) (Pub. L. 99–440) and 22 CFR parts 60–65, require certain United States nationals operating businesses in South Africa to adhere to certain fair labor principles and register with the Department of State. Section 207(b) of the CAAA provides that no United States Government department or agency may intercede with any foreign government of foreign national regarding the export marketing activities of any United States national employing more than 25 persons in South Africa that is not implementing the fair labor principles specified in CAAA. The form submitted for review enables United States nationals to meet the registration requirements of the CAAA and implementing regulations. The following summarizes the information collection proposal submitted to OMB:

Type of request: Reinstatement.
Originating office: Bureau of African Affairs.
Title of information collection: South Africa and Fair Labor Standards Application for Registration.
Form No. DSP–95.
Frequency: On occasion.
Respondents: U.S. individuals and firms operating in South Africa.
Estimated number of representatives: 20.
Average hours per response: 1 hour.
Total estimated burden hours: 220.

Existing rule containing this collection of information was codified in 22 CFR parts 60–65.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the proposed forms and supporting documents may be obtained from Gail J. Cook (202) 647–3538. Comments and questions should be directed to (OMB) Steven H. Semenuk (202) 395–7340.

Dated: July 13, 1993.

Patrick F. Kennedy,

Assistant Secretary for Administration.

[FR Doc. 93–17614 Filed 7–23–93; 8:45 am]

BILLING CODE 4710–24–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Wrangler Aviation, Inc.

AGENCY: Office of the Secretary, Department of Transportation.

ACTION: Order to show cause in the matter of the cancellation of the operating authority issued to Wrangler Aviation, Inc. for failure to meet the citizenship requirement of section 101(16) of the Federal Aviation Act, Docket 49038, Order 93–7–26.

SUMMARY: The Department tentatively finds pursuant to section 401(r) of the Federal Aviation Act, that Wrangler Aviation, Inc. fails to meet the U.S. citizenship requirements of section 101(16) of the Act. We tentatively propose to cancel Wrangler's authority unless it restructures itself to meet those requirements within 120 days from the date of an order finalizing our tentative findings and conclusions set forth herein.

DATES: Objections are due August 16, 1993. Answers to objections are due August 31, 1993.

ADDRESSES: All documents in this proceeding, with appropriate filing

copies, should be filed in Docket 49038, addressed to the OST Docket Section, Documentary Services Division, U.S. Department of Transportation, 400 Seventh Street, SW., room 4107, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Carol Szekely, Air Carrier Fitness Division, room 6401, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590. Telephone (202) 366-9721.

Dated: July 20, 1993.

Patrick V. Murphy

Acting Assistant Secretary for Policy and International Affairs.

[FR Doc. 93-17619 Filed 7-23-93; 8:45 am]

BILLING CODE 4910-62-P

Coast Guard

[CGD 93-048]

Chemical Transportation Advisory Committee (CTAC) and CTAC Subcommittee on the Revision of the Regulations for Barges Carrying Bulk Liquid Hazardous Materials Cargoes

AGENCY: Coast Guard, DOT.

ACTION: Notice of meetings.

SUMMARY: A. The Chemical Transportation Advisory Committee will hold a meeting on Thursday, August 26, 1993 in room 2415, U.S. Coast Guard Headquarters, 2100 2nd Street SW., Washington, DC 20593. The meeting is scheduled to begin at 8 a.m. and end at 12 Noon.

B. The Subcommittee on the Revision of the Regulations for Barges Carrying Bulk Liquid Hazardous Materials Cargoes, title 46 Code of Federal Regulations (CFR) part 151, of the Chemical Transportation Advisory Committee will meet on Wednesday, August 25, 1993 in room 1103 at 9:30 a.m. at Coast Guard Headquarters, 2100 2nd Street SW., Washington, DC 20593.

FOR FURTHER INFORMATION CONTACT: Commander K. J. Eldridge or Mr. F. K. Thompson, U.S. Coast Guard Headquarters (G-MTH-1), 2100 Second Street SW., Washington, DC 20593, (202) 267-1217.

SUPPLEMENTARY INFORMATION: The agenda of the Committee meeting will be as follows:

1. Opening remarks.

Chairman's remarks and general interest topics.

3. Introduction of new Chairman and swearing-in of new members.

4. New chairman's remarks.

5. Presentation of awards.

6. Issue briefs: Tank Filling Limits, update on SIGTTO Guidelines; Applicability of OPA-90 to Chemical Tankships; Fire fighting foam.

7. Subcommittee reports: 46 CFR Part 151 revision; final report.

8. New tasks and initiatives: Benzene and other chemicals; Fire fighting capabilities of marine facilities; Chemical Compatibility Table.

9. International activities update.

10. Other business: The Human Factor in Chemical Tanker Safety; The Coast Guard's "Model Company".

Attendance at the above meetings is open to the public. Members of the public may present oral statements at the meetings. Persons wishing to present oral statements should notify the Executive Director of CTAC no later than the day before the meetings. Any member of the public may present a written statement to the Committee at any time.

Persons planning to attend the Committee meeting should note that the meeting will open at an earlier hour, 8 a.m., than it has in the past.

Dated: July 13, 1993.

Joseph J. Angelo,

Acting Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 93-17720 Filed 7-23-93; 8:45 am]

BILLING CODE 4910-14-M

Federal Aviation Administration

Approval of Noise Compatibility Program Detroit Metropolitan Wayne County Airport, Detroit, Michigan

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by Wayne County, Michigan, under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On December 16, 1992, the FAA determined that the noise exposure maps submitted by Wayne Country under part 150 were in compliance with applicable requirements. On April 30, 1993, the Assistant Administrator for Airports approved the Detroit Metropolitan Wayne County Airport noise compatibility program.

A total of fifteen (15) measures were included in the Wayne County recommended program. Of the fifteen (15) measures, six (6) are listed as "Noise Abatement Plan Measures," three (3) are listed as "Program Management Measures," and six (6) are listed as "Land Use Management Plan." The FAA has approved fourteen (14) of the fifteen (15) measures.

EFFECTIVE DATE: The effective date of the FAA's approval of the Detroit Metropolitan Wayne County Airport noise compatibility program is April 30, 1993.

FOR FURTHER INFORMATION CONTACT: Ernest Gubry, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, 313-487-7280. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Detroit Metropolitan Wayne County Airport, effective April 30, 1993.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) part 150 is a local program , not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR part 150 program recommendations is measured according to the standards expressed in part 150 and the Act, and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign

commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to the FAA's approval of an airport noise compatibility program are delineated in FAR part 150, § 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where federal funding is sought, requests for project grants must be submitted to the FAA Detroit Airports District Office in Belleville, Michigan.

Wayne County submitted to the FAA on December 14, 1992, noise exposure maps, descriptions, and other documentation. This documentation was produced during the Airport Noise Compatibility Planning (part 150) Study at Detroit Metropolitan Wayne County Airport from 1986 through 1992. Detroit Metropolitan Wayne County Airport noise exposure maps were determined by the FAA to be in compliance with applicable requirements on December 16, 1992. Notice of this determination was published in the **Federal Register** on December 29, 1992.

The Detroit Metropolitan Wayne County Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 1997. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on December 16, 1992, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period would have been deemed to be an approval of such program.

The submitted program proposed by the airport sponsor contained fifteen (15) measures for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR Part 150 have been satisfied. Fourteen (14) of the fifteen (15) measures were approved by the Assistant Administrator for Airports effective April 30, 1993.

Six (6) of the fifteen (15) measures submitted are listed as "Noise Abatement Plan Measures." Five (5) of these six (6) measures were approved which deal with preferential runway use, equitable dispersal of departure flight tracks, establishment of ground run-up procedures, additional study of extending Runway 3C and constructing a hush house, and construction of earth berms. The one measure that was not approved was the proposed restrictions on flight training. Three (3) of the fifteen (15) measures submitted are listed as "Program Management Measures" which were all approved. These three (3) measures include installation of a permanent noise monitoring system, establishment of a noise complaint office, and preparation of updated noise exposure maps. Six (6) of the fifteen (15) measures submitted are listed as "Land Use Management Plan" which were all approved. These six (6) measures include sound insulation of schools; acquisition, sound insulation, purchase assurances, and avigation easements of residential property; encourage the local jurisdictions to implement building codes, compatible use zoning, noise overlay districts, subdivision regulations, and real property noise notices; and preparation of a land use implementation and development plan. These fifteen (15) determinations are set forth in detail in a Record of Approval endorsed by the Assistant Administrator for Airports on April 30, 1993. The Record of Approval, as well as other evaluation materials and documents which comprised the submittal to the FAA, are available for review at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., room 617, Washington, DC 20591.

Federal Aviation Administration, Great Lakes Region, 2300 East Devon Avenue, room 261, Des Plaines, Illinois 60018.

Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111.

Wayne County Department of Public Services, Division of Airports, Detroit Metropolitan Wayne County Airport, L.C. Smith Terminal, Mezzanine, Detroit, Michigan 48242.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Issued in Belleville, Michigan, June 28, 1993.

Dean C. Nitz,

Manager, Detroit Airports District Office, Great Lakes Region.

[FR Doc. 93–17739 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

Noise Exposure Map Notice, Capital City Airport, Lansing, Michigan

AGENCY: Federal Aviation Administration, DOT.

ACTION: Noise.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the Capital Region Airport Authority for Capital City Airport under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96–193) and 14 CFR part 150 are in compliance with applicable requirements.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps is June 29, 1993.

FOR FURTHER INFORMATION CONTACT: Ernest Gubry, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO–650.5, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (313) 487–7280.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for the Capital City Airport are in compliance with applicable requirements of part 150, effective June 29, 1993.

Under Section 103 of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed

in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing non-compatible uses and for the prevention of the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure maps and related description submitted by the Capital Region Airport Authority for Capital City Airport. The specific maps under consideration are the noise exposure maps: Figure 12–1, "1989 Contours With Existing Off-Airport Land Use." and Figure 12–2, "1996 Contours With Existing Off-Airport Land Use," on pages 12–6 and 12–10, respectively, of the submission. The FAA has determined that these maps for Capital City Airport are in compliance with applicable requirements. This determination is effective on June 29, 1993. The FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under Section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 197 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through the FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under Section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 of FAR Part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, Great Lakes Region, Airports Division Office, 2300 East Devon Avenue, room 269, Des Plaines, Illinois 60018.

Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111.

Capital Region Airport Authority, Capital City Airport, Lansing, Michigan 48906.

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT.**

Issued in Belleville, Michigan, on June 29, 1993.

Dean C. Nitz,

Manager, Detroit Airports District Office, Great Lakes Region.

[FR Doc. 93–17738 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Approval of Noise Compatibility Program; Chicago Midway Airport; Chicago, IL

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the City of Chicago under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96–193) and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96–52 (1980). On March 22, 1991, the FAA determined that the noise exposure maps submitted by the City of Chicago under part 150 were in compliance with applicable requirements. However, upon request of the FAA, the 1995 Forecast Noise Exposure Map was updated to include the commissioning of general aviation runway 14/32 (now called Runway 13R/31L) and the construction of a 345 foot extension to Runway 22L. This revised noise exposure map was accepted by the FAA on December 16, 1992. On June 3, 1993, the Assistant Administrator for Airports approved the Chicago Midway Airport noise compatibility program along with the revised Noise Exposure Map.

A total of sixteen (16) measures were included in Chicago Midway Airport's recommended program. Of these, seven are listed as Noise Abatement Plan Measures, four were Land Use Management Measures, and five are listed as Program Management Measures. The FAA has approved fifteen (15) of these measures in their entirety. One measure was approved in part, and certain measures had some minor provisions included with their approval.

EFFECTIVE DATE: The effective date of the FAA's approval of Chicago Midway Airport's noise compatibility program is June 3, 1993.

FOR FURTHER INFORMATION CONTACT: Jerry R. Mork, Federal Aviation Administration, Great Lakes Region, Chicago Airports District Office, CHI–ADO–630.5, 2300 East Devon Avenue, Des Plaines, Illinois 60018, (312) 694–7522. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its approval to the noise compatibility program for Chicago Midway Airport, effective June 3, 1993.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses and prevention of additional noncompatible land uses within the area covered by the noise exposure maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR part 150 program recommendations is measured according to the standards expressed in

part 150 and the Act, and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR part 150, section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where federal funding is sought, requests for project grants must be submitted to the FAA Chicago Airports District Office in Des Plaines, Illinois.

The City of Chicago submitted to the FAA on December 4, 1990, noise exposure maps, descriptions and other documentation. This documentation was produced during the Airport Noise Compatibility Planning (part 150) Study at Chicago Midway Airport from September 1, 1988, through December 16, 1992. The Chicago Midway Airport noise exposure maps were determined by the FAA to be in compliance with applicable requirements on March 22, 1991. However, upon request of the FAA, the 1995 Noise Exposure Forecast Map was updated to include the commissioning of General Aviation Runway 14/32 (now called Runway 13R/31L) and the construction of a 345 foot extension to Runway 22L. This revised noise exposure map was accepted by the FAA on December 16, 1992. Notice of this action was published in the **Federal Register** on December 29, 1992.

The Chicago Midway Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 2003. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on December 16, 1992, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period would have been deemed to be an approval of such program.

The program proposed by the City of Chicago contained sixteen (16) measures for noise mitigation on and off Chicago Midway Airport. The FAA completed its review and determined the procedural and substantive requirements of the Act and FAR part 150 have been satisfied, and the FAA has accepted the revised five-year noise exposure map. The overall program, therefore, was approved by the Assistant Administrator for Airports effective June 3, 1993.

Of the sixteen measures originally submitted, seven were listed as Noise Abatement Plan Measures and all of these measures were approved: (#1) Preferential Runway Use at Night; (#2) Preferential Departure Flight Tracks at Night; (#3) Installation of a Hush House; (#4) Restrictions on Ground Run-Up Locations; (#5) Installation of Noise/Blast Walls; (#14) Continuation of Voluntary Curfew (approved as a voluntary measure only); and (#16) Coordination with Airport Users to Encourage Voluntary Conversion to Stage 3 Aircraft (approved as voluntary measure only). Three of the four Land Use Management Measures were approved in their entirety: (#9) Compatible Land Use Zoning; (#10) Building Code Modification; and (#11) School Sound Insulation Program (prior to FAA funding, a detailed architectural and acoustical survey and onsite noise monitoring will be required at each facility); while one measure was approved in part (#12) Continuation of Voluntary Acquisition Program (Properties that are undeveloped or commercially developed are compatible uses and thus are not eligible for acquisition under part 150, though they may be purchased for other airport purposes utilizing AIP funds. All five of the Program Management Measures were approved: (#6) Permanent Noise Monitoring; (#7) Noise Complaint System; (#8) Community Participation Program; (#13) Prepare Update Noise Exposure Maps; and (#15) Develop Statement of Noise Abatement Philosophy.

The Record of Approval, as well as other evaluation materials and documents which comprised the submittal to FAA are available for review at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., room 615, Washington, DC 29591

Federal Aviation Administration, Great Lakes Region, 2300 East Devon Avenue, room 261, Des Plaines, Illinois 60018

Federal Aviation Administration, Chicago Airports District Office, Great Lakes Region, 2300 East Devon Avenue, room 260, Des Plaines, Illinois 60018

Division of Aeronautics, Illinois Department of Transportation, Capital Airport, Springfield, Illinois 62706

Department of Aviation, City of Chicago, 20 North Clark Street, suite 300 Chicago, Illinois 60602

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Issued in Des Plaines, Illinois, June 30, 1993.

Louis H. Yates

Manager, Chicago Airports District Office Great Lakes Region.

[FR Doc. 93–17740 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE–93–32]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemptions (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation

Regulations (14 CFR chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before August 16, 1993.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–10), Petition Docket No. _____, 800 Independence Avenue SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–10), room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3132.

FOR FURTHER INFORMATION CONTACT: Mr. Frederick M. Haynes, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3939.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on July 16, 1993.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Docket No.: 26152
Petitioner: Sierra Academy of Aeronautics
Sections of the FAR Affected: 14 CFR 141 Appendix F, (C)(III)(a)
Description of Relief Sought: To amend Exemption No. 5245A to allow Sierra Academy of Aeronautics to develop, as an option, a commercial pilot helicopter training program, using helicopters exclusively, with 100 hours of dual instruction and 50 hours of related solo training, with no other changes to the regulations.

Docket No.: 27233
Petitioner: Mr. John Fleurent
Sections of the FAR Affected: 14 CFR 121.383(c)
Description of Relief Sought: To allow petitioner to serve as a pilot in part 121 air carrier operations after his 60th birthday.

Docket No.: 27327
Petitioner: Midway Aviation
Sections of the FAR Affected: 14 CFR 135.143
Description of Relief Sought: To allow Midway Aviation to continue to operate using the Mode C transponder rather than installing the Model S transponder.

Dispositions of Petitions

Docket No.: 22690
Petitioner: Boeing Commercial Airplanes
Sections of the FAR Affected: 14 CFR 61.57 (c) and (d)
Description of Relief Sought: To permit Boeing and pilots employed as aircrews for Boeing to meet the recency of experience requirements of 61.57 (c) and (d) for all types of Boeing aircraft by meeting the requirement for takeoff and landing recency experience in any type of Boeing airplane of in Level B, C, or D simulators, subject to certain conditions and limitations. Grant, July 1, 1993, Exemption No. 4779D

Docket No.: 23921
Petitioner: Flight Safety International
Sections of the FAR Affected: 14 CFR 61.55 (b) (2); 61.56 (b) (1); 61.57 (c) and (d); 61.58 (c) (1) and (d); 61.63 (c) (2), (d) (2) and (3); 61.67 (d)(2); 61.157 (d) (1) and (2) (e) (1) and (2); and Appendix A of part 61.
Description of Relief Sought/ Disposition: To amend Exemption No. 5317A to permit Flight Safety International to employ flight simulator instructors who do not hold an FAA flight instructor certificate. Grant, July 8, 1993, Exemption No. 5317B

Docket No.: 25974
Petitioner: Air Transport Association
Sections of the FAR Affected: 14 CFR 91.203 and 47.49
Description of Relief Sought/ Disposition: To extend Exemption No. 5318B to allow air carriers who are members of the Air Transport Association to temporarily operate their U.S.-registered aircraft following incidental loss or mutilation of the certificate of air worthiness or registration, or both. Grant, July 7, 1993, Exemption No. 5318C

Docket No.: 27213
Petitioner: Flight Services Group, Inc.
Sections of the FAR Affected: 14 CFR 135.165(a) (1) and (6); 135.165(B) (6) and (7)
Description of Relief Sought/ Disposition: To permit Flight Services Group to operate its turbojet aircraft in extended over water operations equipped with one high frequency communications system (HF). Grant, July 9, 1993, Exemption No. 5674

Docket No.: 27222
Petitioner: Executive Flightways, Inc.
Sections of the FAR Affected: 14 CFR 135.165(b) (6) and (7)
Description of Relief Sought/ Disposition: To permit Executive Flightways, Inc. to operate turbine-powered aircraft equipped with one high frequency communication system (HF). Grant, July 9, 1993, Exemption No. 5675

Docket No.: 27265
Petitioner: Mr. Robert L. Vogel, Jr.
Sections of the FAR Affected: 14 CFR 45.29
Description of Relief Sought/Dispositon: To allow Volusia County Department of Public Safety aircraft to display 3-inch registration numbers. Denial, July 13, 1993, Exemption No. 5677

[FR Doc. 93–17726 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the executive committee of the Federal Aviation Administration Aviation Rulemaking Advisory Committee.

DATES: The meeting will be held on August 11, 1993, at 9 a.m. Arrange for oral presentations by August 4, 1993.

ADDRESSES: The meeting will be held at the Air Transport Association of America, 1301 Pennsylvania Avenue NW., 11th floor, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Miss Jean Casciano, 800 Independence Avenue SW., Washington, DC 20591, telephone (202) 267–9683; fax number (202) 267 5075.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. II), notice is hereby given of a meeting of the executive committee to be held on August 11, 1993, at the Air Transport Association of America, 1301 Pennsylvania Avenue NW., Washington, DC. The agenda will include:.

- An update on the status of changes to the Federal Advisory Committee Act (FACA).
- A briefing on Federal Aviation Administration/Joint Airworthiness Authorities harmonization.

• Discussion and approval of the proposed working group procedures.
• Follow-up on open action items.
• Status reports on issues.
• Other business.

Attendance is open to the interested public but will be limited to the space available. The public must make arrangements by August 4, 1993, to present oral statements at the meeting. The public may present written statements to the executive committee at any time by providing 20 copies to the Executive Director, or by bringing the copies to him at the meeting. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading FOR FURTHER INFORMATION CONTACT.

Issued in Washington, DC, on July 19, 1993.

Chris A. Christie,

Executive Director Aviation Rulemaking Advisory Committee.

[FR Doc. 93–17728 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Aviation Rulemaking Advisory Committee Meeting on General Aviation Operations Issues; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration Aviation Rulemaking Advisory Committee to discuss general aviation operations issues.

DATES: The meeting will be held on August 17, 1993, at 10 a.m.

ADDRESSES: The meeting will be held at FAA Headquarters, 800 Independence Avenue SW., Washington, DC, in room 302.

FOR FURTHER INFORMATION CONTACT: Mr. Ron Myres, Assistant Executive Director for General Aviation Operations, Flight Standards Service (AFS–850), 800 Independence Avenue SW., Washington, DC 20591, Telephone: (202) 267–8150; FAX: (202) 267–5230.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. II), notice is hereby given of a meeting of the Aviation Rulemaking Advisory Committee to discuss general aviation operations issues to be held on August 17, 1993, at 10 a.m., at the FAA Headquarters, 800 Independence Avenue SW., Washington, DC, in room 302. The agenda for this meeting will include progress reports from the IFR Fuel Reserve and Operations Over the High Seas Working Groups. In addition, the group will discuss whether it would like to accept a new task assignment (to review part 103 of the Federal Aviation Regulations and make a recommendation to the FAA concerning whether new or revised standards are appropriate).

Attendance is open to the interested public but may be limited to the space available. The public must make arrangements in advance to present oral statements at the meeting or may present written statements to the committee at any time. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading FOR FURTHER INFORMATION CONTACT.

Because of increased security in Federal buildings, members of the public who wish to attend are advised to arrive in sufficient time to be cleared through building security.

Issued in Washington, DC, on July 20, 1993.

Ron Myres,

Assistant Executive Director for General Aviation Operations, Aviation Rulemaking Advisory Committee.

[FR Doc. 93–17729 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Aviation Rulemaking Advisory Committee Meeting on Transport Airplane and Engine Issues; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration's Aviation Rulemaking Advisory Committee to discuss transport airplane and engine issues.

DATES: The meeting will be held on August 18, 1993 at 8 a.m. Arrange for oral presentations by August 11, 1993.

ADDRESSES: The meeting will be held at Boeing Company, 1016 Building, 535 Garden Avenue North, Conference Room 12C4, first floor, Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Kathy Ball, Aircraft Certification Service (AIR-1), 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267–8235.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. App. II), notice is given of a meeting of the Aviation Rulemaking Advisory Committee to be held on August 18, 1993, at Boeing Company, 1016 Building, 535 Garden Avenue North, Conference Room 12C4, first floor, Renton, Washington. The agenda for the meeting will include:

• Opening Remarks.
• Review of Action Items.
• Reports of working groups.
• Discussion of harmonization and working group schedules.
• Status of harmonization activities and organization of working groups.

Attendance is open to the interested public, but will be limited to the space available. The public must make arrangements by August 11, 1993, to present oral statements at the meeting. The public may present written statements to the committee at any time by providing 25 copies to the Assistant Executive Director for Transport Airplane and Engine Issues or by bringing the copies to him at the meeting. In addition, sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading FOR FURTHER INFORMATION CONTACT.

Issued in Washington, DC, on July 20, 1993.

William J. Sullivan,

Assistant Executive Director for Transport Airplane and Engine Issues, Aviation Rulemaking Advisory Committee.

[FR Doc. 93–17730 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Federal Aviation Administration/ General Aviation Community Forum

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration and general aviation community to discuss issues of concern to the general aviation community.

TIME AND DATE:

Date: September 8–10, 1993, beginning at 8:00 a.m.

Place: Airport Embassy Suites, 7640 NW. Tiffany Springs Boulevard, Kansas City, Missouri 64153.

FOR FURTHER INFORMATION CONTACT: Mr. John Colomy, Manager, Standards Office, ACE–110, 601 East 12th Street, Kansas City, Missouri 64106.

SUPPLEMENTARY INFORMATION: The agenda for the meeting will include:.

- Opening Remarks
- Review of Issues
- Working Groups
- Report Out

Attendance is open to the interested public, but will be limited to the space available. The public may present written statements for the forum to consider at any time by providing them to the Manager, Standards Office, ACE–110, at the above address or by bringing them to the meeting. Arrangements may be made by contacting the person listed under the heading "**FOR FURTHER INFORMATION CONTACT**"

Issued in Kansas City, Missouri on July 13, 1993.

John R. Colomy,

Manager, Standards Office.

[FR Doc. 93–17742 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

Intent to Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Chico Municipal Airport, Chico, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chico Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before August 25, 1993.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address:

Federal Aviation Administration, Airports Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, CA 90009,

OR

San Francisco Airports District Office, 831 Mitten Road, room 210, Burlingame, CA 94010–1303.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Thomas J. Lando, City Manager of the city of Chico at the following address: City of Chico, P.O. Box 3420, Chico, CA 95927.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of Chico under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Joseph R. Rodriguez, Supervisor, Planning and Programming Section, Airports District Office, 831 Mitten Road, room 210, Burlingame, CA 94010–1303, Telephone: (415) 876–2805.

The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Chico Municipal Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 13, 1993, the FAA determined that the application to impose and use the revenue from a PFC submitted by the city of Chico was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 14, 1993.

The following is a brief overview of the application.

Level of proposed PFC: $3.00

Proposed charge effective date: December 1, 1993

Proposed charge expiration date: May 15, 1997

Total estimated PFC revenue: $137,043.00

Brief description of the proposed projects: Modify terminal building to create a sterile area for enplaning passengers and construction of a regulated baggage claim area for authorized access only.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: None

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports office located at : Federal Aviation Administration, Airports Division, P.O. Box 92007, Worldway Postal Center, Los Angeles, CA 90009.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Chico.

Issued in Hawthorne, CA, on July 15, 1993

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 93–17727 Filed 7–23–93; 8:45 am]

BILLING CODE 4910–13–M

Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at the Gulfport-Biloxi Regional Airport, Gulfport, MS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at the Gulfport-Biloxi Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before August 25, 1993.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: FAA/Airports District Office, 120 North Hangar Drive, suite B, Jackson, Mississippi 39208–2306.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bruce A. Frallic, A.A.E., Executive Director, of the Gulfport-Biloxi Regional Airport Authority at the following address: Gulfport-Biloxi Regional Airport Authority, P.O. Box 2127, Gulfport, Mississippi 39505.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Gulfport-Biloxi Regional Authority under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Elton E. Jay, Principal Engineer, FAA Airports District Office, 120 North Hangar Drive, suite B, Jackson, Mississippi 39208–2306, telephone number 601–965–4628. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at the Gulfport-Biloxi Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget

Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 14, 1993, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Gulfport-Biloxi Regional Airport Authority was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 5, 1993.

The following is a brief overview of the application.

Level of the proposed PFC: $3.00

Proposed charge effective date: December 1, 1993

Proposed charge expiration date: December 1, 1995

Total estimated PFC revenue: $607,817

Brief description of proposed project(s):

1—Install runway/taxiway guidance signs.

2—ADA terminal improvements.

3—Install airside terminal elevator.

4—West general aviation access road, fencing and taxiway "F" rehabilitation.

5—Acquire land, relocation assistance, and obstruction removal in approach to runway 17 and 31.

6—Update Terminal Area Study.

7—Overlay, light, and mark west taxiway "F".

8—West ramp: repair joints, slabs, and install lighting.

9—Acquire land in approach to runway 17 and 13.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: None.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT.**

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the office of the Gulfport-Biloxi Regional Airport Authority located in the terminal building at the Gulfport-Biloxi Regional Airport.

Issued in Atlanta, Georgia, on July 19, 1993.

Stephen A. Brill,

Manager, Airports Division, Southern Region.

[FR Doc. 93–17731 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement: Kern County, CA

AGENCY: Federal Highway Administration, DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Tier I Environmental Impact Statement will be prepared for a proposed highway project in Kern County, California.

FOR FURTHER INFORMATION CONTACT: Leonard E. Brown, Chief, District Operations—C, Federal Highway Administration, U.S. Bank Plaza, suite 400, 980 Ninth Street, Sacramento, California 95814–2724, Telephone 916–551–1307.

SUPPLEMENTARY INFORMATION:

The FHWA, in cooperation with the California Department of Transportation (Caltrans), will prepare a Tier I Environmental Impact Statement (EIS) on a proposal to construct a four lane freeway beginning on State Route 58, five miles northwest of Mojave, crossing State Route 14 (SR 14) to the northeast of Mojave and reconnecting with State route 58 five miles east of Mojave. Construction of a new interchange with SR 14 is also included in this project. Depending upon the alternative, this new freeway construction would be approximately seven to nine miles in length, and is located within unincorporated Kern County. Three build alternatives and the No Build Alternative will be analyzed in the EIR/EIS. The proposed typical cross section for the project is approximately 420 feet, which includes a four lane freeway, 100 foot median and frontage roads on either side of the freeway.

It is the purpose of the proposed project to relieve existing and projected traffic congestion and queuing, and improve safety on State Routes 58 and 14 Sierra Highway (State Routes 58/14 through Mojave). Caltrans and local agencies have identified the need for proposed improvements due to existing traffic volumes, projected traffic increases in the future due to general growth within the State and projected growth within Kern County.

A Tier I EIR/EIS does not have the detail of a construction level (Tier II) document. The scope and level of analysis of the critical issues will be detailed to the degree necessary to satisfy Caltrans and FHWA requirements for route adoption, and to give authorization for protection of right-of-way for a preferred alignment.

Public workshops and a scoping meeting will be held in Mojave during summer, 1993. Affected agencies and interested parties will be notified of the dates and locations of the scoping meeting/workshops through a separate public notification process.

To ensure that the full range of issues related to this proposed action is addressed and all significant issues identified, comments and suggestions are invited from all interested parties. The views of agencies that may have knowledge about historic resources potentially affected by the proposal or interest in the effects of the proposal on historic properties are specially solicited. Comments or questions concerning this proposed action and the EIR should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program).

Issued on: June 18, 1993.

Leonard E. Brown,

Chief, District Operations—C, Sacramento, California.

[FR Doc. 93–17638 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

Petition for Exemption from the Vehicle Theft Prevention Standard; Saab

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Grant of petition for exemption.

SUMMARY: This notice grants the petition by Saab Cars USA, Inc. (Saab) for an exemption from the parts marking requirements of the vehicle theft prevention standard for a high theft car line whose nameplate is confidential. This petition is granted because the agency has determined that the antitheft device to be placed on the car line as standard equipment, is likely to be as effective in reducing and deterring motor vehicle theft as compliance with parts marking requirements.

DATES: The exemption granted by this notice is effective beginning with the 1994 model year.

FOR FURTHER INFORMATION CONTACT: Ms. Barbara A. Gray, Office of Market Incentives, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Gray's telephone number is (202) 366–1740.

SUPPLEMENTARY INFORMATION: On March 26, 1993, the agency received a letter dated March 25, 1993 from Saab Cars

USA, Inc. (Saab) requesting an exemption from the theft prevention standard for a car line beginning from the 1994 model year. The nameplate of the car line is confidential. The letter was submitted pursuant to 49 CFR part 543, Exemption from Vehicle Theft Prevention Standard, and requested an exemption from parts marking based on the installation of a theft deterrent device as standard equipment for the car line. Saab provided supplemental information in two additional letters, one dated April 6, 1993, and the other dated May 7, 1993.

Together, the three letters submitted by Saab constitute a complete petition, as required by 49 CFR 543.7, in that it met the general requirements contained in § 543.5 and the specific content requirements of § 543.6. In a letter dated April 8, 1993 to Saab, the agency granted the petitioner's request for confidential treatment of certain information, including the nameplate of the car line.

In its petition, Saab provided a detailed description of the identity, design, and location of the components of the antitheft device for the car line, and an electrical schematic of the antitheft device. Saab stated that its antitheft device incorporates an audio and visual alarm function, and an engine starter interrupt function.

Saab stated that the antitheft device is automatically activated by the normal locking of the vehicle door. In order to arm the device, the key must be removed from the ignition switch; all of the doors, the trunk lid, the hood lid, and the storage compartments must be closed; and the driver's door must be locked with the ignition key. Locking any door with the key ensures that all doors, the hood, and the trunk are locked.

The blinking of an alarm system indicator light on the dashboard indicates that the device is armed. The driver's side door cannot be locked and the alarm is not activated if the hood, any of the doors, or the trunk is not closed properly. In order to activate the alarm, the vehicle part that is ajar must be properly closed, and the driver's side door must be locked with the key. The device monitors the vehicle's doors, hood, trunk, ignition switch, and radio.

If the device is armed and unauthorized entry is subsequently attempted, the antitheft device will be triggered, causing the alarm horn to sound and the vehicle's turn signal indicator to actuate. Any subsequent attempt to enter any of the vehicle's monitored areas will again cause the horn to blare and the turn signal indicator to flash.

Additionally, the antitheft device will activate the starter-interrupt relay, preventing the starting of the engine by means of the ignition switch for a period of time. Saab stated that to prevent defeat of the antitheft device, all system components have been placed in inaccessible locations. Saab described further measures to prevent unauthorized operation of its car line, describing measures taken to strengthen the doors and locks of the car line, and noting special design features of the key and key lock. In addition, Saab described special measures to deter theft of the radio in the Saab car line.

Saab addressed the reliability and durability of its antitheft device by providing a description of the tests that were conducted on the device. Among these tests were tests for: Electrical strength; electromagnetic compatibility; radiated interference susceptibility; mechanical vibration; mechanical shock; ambient temperature extremes; corrosion resistance; and durability life cycles. With its petition, Saab included a statement that the antitheft device was tested according to Saab's standard, and passed all the performance requirements of the tests.

In discussing why it believes the antitheft device will be effective in reducing and deterring motor vehicle theft, Saab compared its antitheft devices with similar antitheft devices, primarily manufactured by other manufacturers, that have been previously granted exemptions from this agency. Saab stated that the theft rates of these comparable lines decreased when the antitheft device was made standard equipment, and have remained, for the most part, below the 3.2712 median theft rate. Among others, Saab cited the experiences of the: Mazda RX–7, which went from a theft rate of 5.83 (all figures provided are for thefts per thousand vehicle) in 1987 to a theft rate of 5.64 in 1988; the Nissan Maxima, which went from a theft rate of 3.80 in 1983/84 to a theft rate of 1.99 in 1985; the Nissan 300ZX, which went from a theft rate of 7.71 in 1986 to a theft rate of 5.97 in 1987; the Toyota Cressida, which went from a theft rate of 4.70 in 1985 to a theft rate of 4.26 in 1986; and the Toyota Supra, which went from a theft rate of 10.38 in 1985 to a theft rate of 2.78 in 1986. The agency concurs with Saab that these antitheft devices manufactured by other manufacturers are comparable to the device planned by Saab for its car line.

NHTSA believes that there is substantial evidence indicating that the antitheft device to be installed as standard equipment in the Saab car line that is the subject of this notice, will likely be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of the theft prevention standard (49 CFR part 541). This determination is based on the information Saab submitted with its petition and on other available information. The agency believes that the device will provide all of the types of performance listed in § 543.6(a)(3): Promoting activation; preventing defeat or circumventing of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

As required by section 605(b) of the statute and 49 CFR 543.6(a)(4), the agency also finds that Saab has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information Saab provided on its device. This information included a description of reliability and functional tests conducted by Saab for the antitheft device and its components.

For the foregoing reasons, the agency hereby exempts the Saab car line that is the subject of this notice, in whole, from the requirements of 49 CFR part 541.

If Saab decides not to use the exemption for any of the car lines that are the subject of this notice, it should formally notify the agency. If such a decision is made, each respective car line must be fully marked according to the requirements under 49 CFR 541.5 and § 541.6 (marking of major component parts and replacement parts).

The agency notes that the limited and apparently conflicting data on the effectiveness of the pre-standard parts marking programs continue to make it difficult to compare the effectiveness of an antitheft device with the effectiveness of compliance with the theft prevention standard. The statute clearly invites such a comparison, which the agency has made on the basis of the limited data available. With implementation of the requirements of the "Anti Car Theft Act of 1992," NHTSA anticipates more probative data upon which comparison may be made.

NHTSA notes that if Saab wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "(t)o modify an exemption to permit the use of an

antitheft device similar to but differing from the one specified in that exemption."

The agency wishes to minimize the administrative burden which § 543.9(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting Part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if the manufacturer contemplates making any changes the effects of which might be characterized as *de minimis*, it should consult the agency before preparing and submitting a petition to modify.

Authority: 15 U.S.C. 2025; delegation of authority at 49 CFR 1.50.

Date: July 20, 1993.

Howard M. Smolkin,

Executive Director.

[FR Doc. 93–17620 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-59-M

[Docket No. 93–09; Notice 2]

Determination That Nonconforming 1990 Honda VFR 750 Motorcycles Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration ("NHTSA"), DOT.

ACTION: Notice of determination by NHTSA that nonconforming 1990 Honda VFR 750 motorcycles are eligible for importation.

SUMMARY: This notice announces the determination by NHTSA that 1990 Honda VFR 750 motorcycles not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because they are substantially similar to a vehicle originally manufactured for importation into and sale in the United States and certified by its manufacturer as complying with the safety standards (the U.S.-certified version of the 1990 Honda VFR 750 motorcycle), and they are capable of being readily modified to conform to the standards.

DATE: The determination is effective as of the date of its publication in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Ted Bayler, Office of Vehicle Safety Compliance, NHTSA (202–366–5306).

SUPPLEMENTARY INFORMATION:

Background

Under section 108(c)(3)(A)(i) of the National Traffic and Motor Vehicle Safety Act ("the Act"), 15 U.S.C. § 1397(c)(3)(A)(i), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States on and after January 31, 1990, unless NHTSA has determined that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under section 114 of the Act, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily modified to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility determinations may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA determines, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this determination in the **Federal Register.**

J.K. Motors, Inc. ("J.K.") of Kingsville, Maryland (Registered Importer No. R–90–006) petitioned NHTSA to determine whether 1990 Honda VFR 750 motorcycles are eligible for importation into the United States. NHTSA published notice of the petition on March 3, 1993 (58 FR 12301) to afford an opportunity for public comment.

As stated in that notice, J.K. claimed in its petition that the 1990 Honda VFR 750 motorcycle that was not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to the 1990 Honda VFR 750 motorcycle that was manufactured for importation and sale in the United States and that was certified by its manufacturer, Honda Motor Co., Ltd., as complying with all such standards. JK claimed that the two models are identical with respect to compliance with Standards Nos. 106 Brake Hoses, 108 Lamps, Reflective Devices and Associated Equipment, 111 Rearview Mirrors, 116 Brake Fluid, 119 New Pneumatic Tires for Vehicles other than Passenger Cars, 120 Tire Selection and Rims for Motor Vehicles other than Passenger Cars, 122 Motorcycle Brake Systems, 123 Motorcycles Controls and Displays, and 205 Glazing Materials. J.K. also contended that the non-U.S. certified 1990 Honda VFR 750 is capable of being readily modified to meet Standard No. 115 Vehicle Identification Number, by adding a permanent VIN plate to the motorcycle dash.

One comment was received in response to the notice of the petition, from Honda Motor Co., Ltd. ("Honda"), the vehicle's original manufacturer. Honda stated that the non-U.S. certified version of the 1990 Honda VFR 750 was intended for the Japanese market, and as originally manufactured, does not comply with Federal motor vehicle safety standards. Specifically, Honda asserted that the following items must be replaced for the vehicle to comply with Standard No. 108: The headlight, turn signal lights, brake light, stop light, reflex reflectors, control switches, and electrical wiring. Additionally, Honda asserted that the speedometer/odometer on the non-U.S. certified 1990 Honda VFR 750 is calibrated in kilometers and must be replaced with one calibrated in miles per hour to comply with Standard No. 123. Honda further noted that, as acknowledged by J.K., the vehicle's Vehicle Identification Number ("VIN") does not comply with Standard No. 115. Additionally, Honda claimed that the vehicle requires a safety certification label to comply with U.S. standards. Honda stated that the parts necessary to bring the vehicle into compliance with Federal motor vehicle safety standards are available from authorized Honda motorcycle dealers, with the exception of compliance labels, which are available only on the company's own assembly lines.

NHTSA invited J.K. to respond to Honda's comments. In its response, J.K. asserted that the non-U.S. certified 1990 Honda VFR 750 in its shop conforms to Standard Nos. 108 and 123 in all respects, including DOT markings on parts where such are required. J.K. submitted photographs with its response to verify this claim. These appear to support J.K.'s claim that the only modification necessary to bring the motorcycle in its possession into compliance with all applicable Federal motor vehicle safety standards is the addition of a Registered Importer's certification label. NHTSA notes in this regard that the VIN assigned by the original manufacturer to an imported vehicle need not be changed for the vehicle to comply with Federal safety standards.

In view of the conflicts in the statements that it received from Honda and J.K., NHTSA has concluded that the

motorcycle used by J.K. in the preparation of its petition is one that must have been modified after the date of its original manufacture to comply with applicable Federal motor vehicle safety standards. As Honda did not refute J.K.'s argument that the non-U.S. certified 1990 Honda VFR 750 was either manufactured in conformance with, or is capable of being readily modified to conform to, all applicable Federal motor vehicle safety standards, NHTSA has determined to grant the petition.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final determination must indicate on the form HS–7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VSP #34 is the vehicle eligibility number assigned to vehicles admissible under this determination.

Final Determination

Accordingly, on the basis of the foregoing, NHTSA hereby determines that a 1990 Honda VFR 750 motorcycle not originally manufactured to comply with all applicable Federal motor vehicle safety standards is substantially similar to a 1990 Honda VFR 750 motorcycle originally manufactured for importation into and sale in the United States and certified under section 114 of the National Traffic and Motor Vehicle Safety Act, and is capable of being readily modified to conform to all applicable Federal motor vehicle safety standards.

Authority: 15 U.S.C. 1397(c)(3)(A)(i)(I) and (C)(ii); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: July 20, 1993.

William A. Boehly,

Associate Administrator for Enforcement.

[FR Doc. 93–17743 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-59-M

Research and Special Programs Administration

Availability of the Federal Radionavigation Plan

AGENCY: Research and Special Programs Administration (RSPA), Department of Transportation.

ACTION: Availability for comment.

SUMMARY: The 1992 edition of the Federal Radionavigation Plan has been published and is available for comment.

DATES: Comments must be received by January 28, 1994.

ADDRESSES: Comments should be forwarded to Chairman, DOT Navigation Working Group, U.S. Department of Transportation (DRT–20), room 9402, 400 Seventh Street SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Heywood Shirer, Department of Transportation (DRT–20), 400 7th Street SW., Washington, DC 20590, (202) 366–4355.

SUPPLEMENTARY INFORMATION: A copy of the Federal Radionavigation Plan is available for inspection in the RSPA Dockets Unit. The Dockets Unit is located in room 8421 of the Nassif Building, 400 Seventh Street SW., Washington, DC 20590. Office hours are 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays. Telephone (202) 366–5046.

The 1992 Federal Radionavigation Plan is available from: National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161.

Stock Number: PB93–165702
Paper Copy: $37.50
Microfiche: $17.50

Issued in Washington, DC, on July 8, 1993.

Rose A. McMurray,

Acting Administrator, Research and Special Programs Administration.

[FR Doc. 93–17703 Filed 7–23–93; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 93–58]

Delegation Order Relating to Handling of Appeals Filed by Customs Brokers for Denial of License

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of delegation order.

SUMMARY: This document provides notice that the Commissioner of Customs has delegated the authority to the Director of the Office of Trade Operations to issue decisions both on the initial denial of applications for Customs broker licenses, including notification of a failing Customs broker examination score, and any subsequent appeal to Customs of such denial.

EFFECTIVE DATE: The delegation is effective as of June 18, 1993.

FOR FURTHER INFORMATION CONTACT: Richard Coleman, Office of Trade Operations, 202–927–0563.

SUPPLEMENTARY INFORMATION:

On June 18, 1993, the Commissioner of Customs approved the following delegation of authority:

By virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654, 19 F.R. 7241), as amended, and by section 641 of the Tariff Act of 1930 (19 U.S.C. 1641), I hereby delegate to the Director, Office of Trade Operations, the authority given to the Commissioner of Customs in the Customs Regulations, § 111.13(e), to notify applicants and the district director of the denial of a license because of failure to pass the Customs broker examination, and in §§ sections 111.16 and 111.17, consistent with the authority delegated in section 111.13(e), to give notice of denial for any reason to an applicant and to the director of the district in which the application was filed and to review the appeals of Customs denials of applications for a Customs broker's license.

This delegation is effective as of June 18, 1993.

Dated: July 19, 1993.

Michael H. Lane,

Acting Commissioner of Customs,

[FR Doc. 93–17690 Filed 7–23–93; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF VETERANS AFFAIRS

Information Collection Under OMB Review

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

The Department of Veterans Affairs has submitted to OMB the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35). This document lists the following information: (1) The title of the information collection, and the Department form number(s), if applicable; (2) a description of the need and its use; (3) who will be required or asked to respond; (4) an estimate of the total annual reporting hours, and recordkeeping burden, if applicable; (5) the estimated average burden hours per respondent; (6) the frequency of response; and (7) an estimated number of respondents.

ADDRESSES: Copies of the proposed information collection and supporting documents may be obtained from Janet G. Byers, Veterans Benefits Administration (20A5), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202) 233–3021.

Comments and questions about the items on the list should be directed to

VA's OMB Desk Officer, Joseph Lackey, NEOB, room 3002, Washington, DC 20503, (202) 395–7316. Do not send requests for benefits to this address.

DATES: Comments on the information collection should be directed to the OMB Desk Officer on or before August 25, 1993.

Dated: July 19, 1993.

By direction of the Secretary.

B. Michael Berger,

Director, Records Management Service.

Extension

1. Water-Plumbing Systems Inspection Report (Manufactured Home), VA Form 26–8731a
2. The form is completed by inspectors and serves as an inspection report on the water and plumbing systems of used manufactured home units proposed as security for guaranteed loans. The information is used to determine acceptability of the units for VA guaranteed financing.
3. Individuals or households—Businesses or other for-profit—Small businesses or organizations
4. 400 hours
5. 2 hours
6. On occasion
7. 200 respondents

Reinstatement

1. Disabled Veterans Application for Vocational Rehabilitation, VA Form 28–1900
2. The form is used by service-connected disabled veterans and service persons awaiting discharge for disability to apply for vocational rehabilitation benefits. The information is used by VA to determine eligibility for and entitlement to these benefits.
3. Individuals or households
4. 7,500 hours
5. 15 minutes
6. On occasion
7. 30,000 respondents

[FR Doc. 93–17676 Filed 7–23–93; 8:45 am]

BILLING CODE 8320-01-M

Veterans' Advisory Committee on Rehabilitation; Notice of Meeting

The Department of Veterans Affairs gives notice that a meeting of the Veterans' Advisory Committee on Rehabilitation, authorized by 38 U.S.C., 3121, will be held on September 26, 27, and 28, 1993 in Boston, Massachusetts. The committee will meet from 10 a.m. to 3 p.m. on September 26, from 9 a.m. to 4 p.m. on September 27, and from 9 a.m. to 12 noon on September 28, 1993. The purpose of the meeting will be to review the administration of veterans' rehabilitation programs and to provide recommendations to the Secretary. The meeting will be open to the public to the seating capacity of the meeting room. Due to changes in the location of the meeting area each day, it will be necessary for those wishing to attend to contact Theresa Boyd at (202) 233–6493 prior to September 22, 1993. Interested persons may attend, appear before, or file statements with the Committee. Statements, if in written form, may be filed before or within 10 days of the meeting. Oral statements will be heard at 2 p.m. on September 26, 1993.

Dated: July 15, 1993.

By direction of the Secretary:

Heyward Bannister,

Committee Management Officer.

[FR Doc. 93–17678 Filed 7–23–93; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 58, No. 141
Monday, July 26, 1993

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

UNITED STATES POSTAL SERVICE BOARD OF GOVERNORS

The Board of Governors of the United States Postal Service, pursuant to its Bylaws (39 C.F.R. Section 7.5) and the Government in the Sunshine Act (5 U.S.C. Section 552b), hereby gives notice that it intends to hold a meeting at 1:00 p.m. on Monday, August 2, 1993, and at 8:30 a.m. on Tuesday, August 3, 1993, in Washington, D.C.

By telephone vote on July 16 and 19, 1993, a majority of the members contacted and voting, the Board of Governors voted to close to public observation its meeting scheduled for August 2, which will involve consideration of the Postal Rate Commission's Opinion and Recommended Decision in Docket No MC93–2, Definition of Pre-Barcoded Mail.

The meeting is expected to be attended by the following persons: Governors Alvarado, Daniels, del Junco, Mackie, Pace, Setrakian and Winters; Postmaster General Runyon, Deputy Postmaster General Coughlin, Secretary to the Board Harris, and General Counsel Elcano.

The Board determined that pursuant to section 552b(c)(3) and (10) of Title 5, United States Code, and section 7.3(c) and (j) of Title 39, Code of Federal Regulations, discussion of this matter is exempt from the open meeting requirement of the Government in the Sunshine Act [5 U.S.C. 552b(b)] because it is likely to disclose information in connection with proceedings under Chapter 36 of Title 39, United States Code (having to do with postal ratemaking, mail classification and changes in postal services), which is specifically exempted from disclosure by section 410(c)(4) of Title 39, United States Code.

The Board has determined further that pursuant to section 552b(c)(10) of Title 5, United States Code, and section 7.3(j) of Title 39, Code of Federal Regulations, the discussion is exempt because it likely to specifically concern participation of the Postal Service in a civil action or proceeding involving a determination on the record after opportunity for a hearing. The Board further determined that the public interest does not require that the Board's discussion of the matter be open to the public.

In accordance with section 552b(f)(1) of title 5, United States Code, and section 7.6(a) of title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in her opinion the meeting may properly be closed to public observation, pursuant to section 552b(c)(3) and (10) of Title 5, United States Code; and section 7.3(c) and (j) of Title 39, Code of Federal Regulations.

The August 3 meeting is open to the public and will be held at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, S.W., in the Benjamin Franklin Room. The Board expects to discuss the matters stated in the agenda which is set forth below. Requests for information about the meeting should be addressed to the Secretary of the Board, David F. Harris, at (202) 268–4800.

Agenda

Monday Session

August 2—1:00 p.m. (Closed)

1. Consideration of the Postal Rate Commission's Opinion and Recommended Decision in Docket No. MC93–2, Definition of Pre-Barcoded Mail.

Tuesday Session

August 3—8:30 a.m. (Open)

1. Minutes of the Previous Meeting, July 12–13, 1993.
2. Remarks of the Postmaster General and CEO. (Marvin Runyon.)
3. Quarterly Report on Service Performance. (Ann McK. Robinson, Vice President, Consumer Advocate.)
4. Quarterly Report on Financial Performance. (M. Richard Porras, Controller.)
5. Tentative Agenda for the August 30–31, 1993, meeting in Indianapolis, Indiana.

David F. Harris,

Secretary.

[FR Doc. 93–17888 Filed 7–22–93; 2:05 pm]

BILLING CODE 7710-12-M

Federal Register

Monday
July 26, 1993

Part II

Department of Health and Human Services

Public Health Service

Compiled List of Clinical Laboratory Test Systems, Assays, and Examinations Categorized by Complexity; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Compiled List of Clinical Laboratory Test Systems, Assays, and Examinations Categorized by Complexity

AGENCY: Public Health Service, HHS.

ACTION: Notice.

SUMMARY: Regulations codified at 42 CFR 493.17, implementing the Clinical Laboratory Improvement Amendments of 1988, require the Secretary to provide for the categorization of specific clinical laboratory test systems, assays, and examinations by level of complexity. The criteria for such categorization are also set forth in those regulations.

This Notice announces the compiled list of specific clinical laboratory test systems, assays, and examinations categorized by complexity. This list includes the compilation of a series of four partial test lists that were previously published in the **Federal Register** as part of the on-going process of test categorization. These partial lists were published on February 28, 1992 (57 FR 7245); July 8, 1992 (57 FR 30362); August 28, 1992 (57 FR 39211); and September 2, 1992 (57 FR 40258). The list in this Notice also includes approximately 2000 additional test systems, assays, and examinations that were identified through the comment period as test systems or analytes that were missing from any previously published list. A separate list containing only the previously unpublished categorizations is also included in this Notice, because these previously unpublished categorizations are subject to a 30-day comment period. A list of waived test systems, assays, and examinations, which is an update of the list published on August 28, 1992, is also included in this Notice. All responses to public comments received on the partial lists are included in this Notice. Additionally, all changes to previously published categorizations made in response to comments, as well as any editorial or grammatical corrections to previously published test system or analyte entries, are reflected on the compiled list.

Any clinical laboratory test system, assay, or examination not classified under 42 CFR 493.15, published February 28, 1992 (57 FR 7002), or under the amendments to 42 CFR 493 published January 19, 1993 (58 FR 5215) (also known as HSQ–202–FC), as waived or not categorized in this compilation as moderate complexity, will be considered high complexity until categorized otherwise as provided under 42 CFR 493.17.

This Notice also addresses the process for submitting applications to categorize other laboratory test systems, assays, and examinations as well as the process for requesting a recategorization. Additionally, the process for requesting that additions or deletions be made to the list of waived tests, published in 42 CFR 493.15(c), is also addressed in this Notice.

Notices will be published periodically in the **Federal Register** to announce additional test systems, assays, or examinations that have been categorized or recategorized since the preceding publication.

DATES: *Effective date:* This list is effective on July 26, 1993. *Comment date:* Written comments on the list of previously unpublished categorizations will be considered if they are received at the address indicated below, no later than 5 p.m. on August 25, 1993.

ADDRESSES: Comments on the previously unpublished categorizations—only—should be addressed to Public Health Service, Attention: CLIA Federal Register Notice, 1600 Clifton Road NE (MS MLR5), Atlanta, GA 30333.

FOR FURTHER INFORMATION CONTACT: Dr. John Ridderhof, (404) 639–1701.

SUPPLEMENTARY INFORMATION: The Centers for Disease Control and Prevention (CDC) has categorized approximately 12,000 test systems, assays, and examinations for complexity, using the criteria for test categorization codified at 42 CFR 493.17 (published in the **Federal Register** on February 28, 1992 (57 FR 7002).

CDC received approximately 435 letters commenting on the 10,000 previously published categorizations. Based on these comments, about one percent have required recategorization. Most of the recategorizations occurred as a result of the change in the approach to scoring tests within the area of microbiology. This change occurred in response to comments and is addressed in detail in this Notice under the section "Comments on Microbiology tests—overview of changes made to Microbiology."

Excluding the area of microbiology that warranted a change in the approach to scoring, comment letters addressed approximately 40 different test systems, assays, or examinations. After careful review of these recategorization requests, CDC determined that 18 of the 40 warranted changes in scores, resulting in 16 recategorizations from high complexity to moderate complexity, and 2 recategorizations from moderate complexity to high complexity. Each of these recategorizations is discussed in detail under the section "Corrections to previous publications of test categorization" contained in this Notice Sixteen additional recategorizations from high to moderate complexity for HDL procedures occurred as a result of recommendation from the Clinical Laboratory Improvement Advisory Committee (CLIAC). A discussion of the HDL recategorizations is found under the comment and response section for General Chemistry contained in this Notice.

The relatively small number of comments that were received on the thousands of test categorizations is testimony to the merit and credibility of the test categorization process. It also confirms that CDC was successful in completing the monumental task of accurately categorizing thousands of laboratory procedures.

Basis for Categorization

The first step in the categorization process was to determine which test systems, assays, or examinations were to be waived using the criteria set forth in 42 CFR 493.15. Then, as described in 42 CFR 493.17, seven criteria were used to categorize non-waived laboratory test systems, assays, or examinations as moderate or high complexity. The CDC developed a scoring system that was based on categorization approaches suggested in comments to the proposed regulations and based on categorization systems currently in use by state regulatory agencies. Under the CDC approach, one of three possible scores (1, 2 or 3) was assigned to each of the seven criteria. A score of "1" represented minimal requirements, while a score of "3" represented maximum or specialized requirements. Limiting selection to only three possible scores minimizes the difficulties of making subjective decisions about scoring for each criteria.

The CDC scoring scheme was tested against a list of general categories of laboratory procedures. This list of general procedures was compiled from comments indicating specific procedures that should be categorized as either moderate or high complexity. When subjected to the CDC scoring scheme, many procedures on this general list received scores that clearly defined them as either moderate or high complexity while other procedures received total scores that placed them in a grey area between moderate and high complexity.

A list of general procedures that clearly scored as moderate or high complexity and a list of those that were in the grey area was presented at a meeting of consultants in June of 1991. Each of the consultants reviewed the list and gave advice on whether the procedures in the grey area should be moderate or high complexity. CDC utilized this information to further refine the grey area into a defined cutoff score of 12/13 between moderate and high complexity.

CDC staff then expanded the general list into a more specific list that defined tests by the name of the instrument, kit, or procedure and applied the scoring scheme with the 12/13 cutoff. In September of 1991, at another meeting of consultants, CDC presented the categorization of approximately 2000 specific tests. Each of the consultants was asked to review these proposed categorizations and to apply the scoring scheme to any tests with which they were familiar. Information from this scoring exercise was used by CDC to further refine the scoring scheme.

At the present time, CDC has categorized approximately 12,000 tests. A review of total scores within the scheme shows a distribution that is bimodal with the 12/13 cutoff equidistant between the two modal values. Each modal has an underlying normal distribution of scores that shows central tendency and somewhat even distribution in the tails. This bimodal distribution with two underlying normal distributions supports the concept of a scoring system whose main purpose was to define two separate conditions, moderate complexity and high complexity, with a distinct cutoff between the two.

Overview of Test Categorization Process

Each test system, assay, or examination not classified as waived was assigned a unique identifier. A Center for Disease Control and Prevention (CDC) staff person, knowledgeable in the laboratory area for which the test was designed, was designated as the initial scorer. Using information available from a variety of sources, including manufacturer's instructions, and from his or her own knowledge and experience, the scorer assigned a numerical value to each of the seven criteria—a score of "1" representing the least complex and a score of "3" the most complex. If sufficient information was not available to score the test procedure, the manufacturer or other source was contacted to obtain the necessary information. If there was not a member of the CDC staff with sufficient background or expertise to grade the test, an outside consultant assisted in assigning scores to the test procedure.

The initial scorer prepared a short written narrative (justification) explaining his or her logic for the assignment of scores to each criteria. The internal scores within a total grade were then evaluated against each other for consistency. For example, assigning a high score to a test for the criterion "Characteristics of Operational Steps" but a low score for the criterion "Training and Experience" would be considered inconsistent. Scores were also compared with scores for procedures of comparable complexity and/or similar methodology to be certain that all tests were graded fairly, and without bias. If a scorer felt there were significant differences between the test system, assay, or examination he or she was grading and others of similar methodology, then the specific aspects of the test procedure that made it different were addressed in the written justification.

Once the initial scorer had scored the test system, assay or examination and completed a draft justification for each score, another CDC staff member, who had experience in the laboratory area targeted by the test, reviewed the information used to grade the test, the assigned grading scores, and the written justifications for each score. The scores were reviewed for consistency of the numeric values assigned as well as consistency of the overall rating. The written justification was reviewed for technical accuracy, consistency, and clarity.

Finally, test scores and justifications were reviewed by an outside expert or a member of CDC staff who was a recognized expert in the specialty area covered by the procedure. The expert either verified the technical accuracy of the scoring and justification or returned it for further review and suggested that staff obtain additional information, or, if appropriate, advised that an outside consultant be called to help in categorization. If the grades and justification for a test categorization passed this level of review, the scores were considered valid and the test system, assay, or examination was added to the test categorization database.

Once a test system's grades and justification were deemed valid, two members of the CDC staff who were not involved in the original scoring or review, independently reviewed the written justification for consistency and clarity. Any editing at this point was from the perspective of whether or not a knowledgeable person reviewing the justification sometime in the future would understand the basis for the score determination. Once a justification passed this level of review, it was considered final and complete.

General Guidelines for Assigning Scores

Although not specific to any one procedure or all encompassing for every laboratory method, the following general guidelines were used by CDC staff to achieve consistency in scoring both within specialty areas and across disciplines.

Knowledge

Knowledge was defined as theoretical background information that the analyst must possess prior to performing the test. This knowledge generally could not be acquired by previous experience with similar procedures or by merely reading technical information supplied by the manufacturer. The grading for this criterion took into account not only the knowledge required for the analytic portion of the procedure (the actual performance of the test) but also the knowledge required for any preanalytic or postanalytic portions that were considered to be specific components of the total procedure.

A score of "1" for this criterion meant that the scientific knowledge needed to perform the test was minimal. The analyst could usually perform the test by reading material supplied by the manufacturer. A score of "1" assumed the analyst had knowledge of basic laboratory safety precautions such as the importance of wearing gloves and some basic laboratory analytic techniques such as the proper use of a centrifuge.

A score of "2" for this criterion meant that some basic laboratory related scientific knowledge was required prior to performing the test. The knowledge required may have been broad laboratory concepts or principles that an analyst would build on while being trained to perform the specific procedure under consideration. This knowledge could have been acquired through previous on-the-job instruction or through formal academic instruction.

A score of "3" for this criterion meant that specialized scientific knowledge was required to perform the procedure. This knowledge was considered extensive and usually required academic study. It may have included knowledge of the clinical uses of a test. Examples include: the diagnostic aspects of hemolytic disease of the newborn to accurately interpret the results of the Indicator Cell Rosette test; understanding the physical

characteristics of antigen-antibody diffusion through gels to perform immunoelectrophoresis; and knowledge of the microscopic characteristics of all known medically significant pathogens to be able to adequately identify the microbial source of an infection.

Training and Experience

Training referred to those instructions specific to a procedure and the acquisition, through practice and repetition, of the specific technical skills necessary for the accurate execution of a procedure. Experience referred to the broad range of skills previously acquired by the analyst while performing similar laboratory testing.

A score of "1" for this criterion meant that minimal training and experience were required to perform the test. The analyst could be self-taught by following manufacturer's directions and did not need practice in the procedure prior to performing the test. Materials or instruments were of such simple construction that they required only limited, "one-time" instruction on their use to properly report test results.

A score of "2" meant that some training or experience were required. The training would be directed toward the specific test procedure under consideration and usually required repetition or practice to achieve proficiency in performing the test. Some procedures required experience in the operation of similar equipment or in a general laboratory technique required to perform the procedure such as the use of a microscope.

A score of "3" for this criterion meant that a high level of training and experience were required. This training usually required an extended time period, close supervision, and extensive practice. If a high level of experience was required, it was usually very specialized and directed toward specific techniques critical to the performance of the procedure such as experience in inoculating, monitoring, or harvesting viruses.

Reagents or Materials Preparation

This criterion referred to the level of complexity associated with the preparation of reagents or other materials.

A score of "1" for this criterion meant that reagents and materials were usually prepackaged or required minimal handling such as simple dilutions or rehydrations.

A score of "2" meant that some preparation or handling was required, such as, specific storage requirements for reagents; reagents that required reconstitution immediately before use; or reagents that required precise pipetting for reconstitution.

A score of "3" meant that reagents or materials were either extremely labile, required special handling (e.g., radioactive materials) or preparation, or required precise gravimetric or volumetric measurements. A high score was also given when the analyst was required to calculate the needed concentration of a reagent or when the reagent had special disposal or decontamination requirements.

Characteristics of Operational Steps

This criterion referred to the number of steps in the procedure and the degree of technical skill required to perform those steps. Each procedure was evaluated for the complexity of steps not only in the analytic portion of the procedure but also in the preanalytic or postanalytic portions that were considered part of the complete procedure.

A score of "1" was given if the steps were automatically executed or were not extensive and easily performed.

A score of "2" was given if the steps were not fully automatic and required some monitoring, timing, or simple calculations. Examples of procedures receiving a score of "2" include those requiring limited pretreatment of samples before analysis, or requiring simple calculations after analysis to arrive at a final result.

A score of "3" was given if the steps were extensive or complex, required manual manipulation, required close monitoring and control, or required extensive calculations. Many procedures receiving a high score for this criterion required the analyst to plot standard curves, perform complicated calculations, or perform multiple volumetric or gravimetric measurements.

Calibration, Quality Control or Proficiency Testing Materials

This criterion referred solely to the characteristics of the materials used for calibration, quality control, or proficiency testing. It did not refer to the difficulty of performing procedures using these materials since this was covered under "Characteristics of Operational Steps."

A score of "1" was given if calibration materials, when applicable to the procedure, were stable, well defined, and readily available. A score of "1" was also given if quality control materials were available and when proficiency testing materials were available or had the potential of being made available.

A score of "2" was given if quality control materials did not validate the entire analytic process, were vastly different from the specimen matrix, or had to be supplied by the laboratory as previously assayed patient samples. A score of "2" was also given if proficiency testing materials were in a format other than that of the clinical specimens. An example of this situation would be the use of photographic slides for cell identification which requires the analyst to interpret cell morphology in an environment that is not the same as the actual testing environment.

A score of "3" was given if materials were so labile that control or proficiency testing materials had no potential of being made available or could not duplicate any part of the sample matrix. This score was usually given to tests that could not be controlled by measuring analytical specimens but relied on good laboratory practice alone to ensure quality results. An example of the above would be bleeding time tests.

Troubleshooting and Maintenance

This criterion referred to the extent or the difficulty of the troubleshooting and maintenance procedures required for proper operation of equipment or instruments. Procedural troubleshooting, in which the analyst must use judgment to determine the cause of an incorrect or incomplete test result, was included under "Interpretation and Judgment."

A score of "1" for instrument troubleshooting was given when the troubleshooting was automatic or self-correcting and required minimal judgment. A score of "1" for maintenance was given when equipment maintenance was seldom needed or provided by the manufacturer.

A score of "2" was given if troubleshooting or maintenance required some judgment, technical skill, decision-making, or intervention by the analyst. Most of the instruments receiving this score had daily, weekly, or monthly maintenance that was fully described by the manufacturer. These types of instruments often also required the analyst to follow a flow chart to perform troubleshooting procedures. Many of the instruments given a score of "2" were large volume or multi-analyte instruments that required the analyst to interpret "error" messages or follow sequential instructions to resolve problems.

A score of "3" was given if troubleshooting was not automatic and required a high level of decision-making and extensive direct intervention to resolve problems. A score of "3" was

given if instrument maintenance required special knowledge, skills, or abilities. Most of the procedures receiving this high score did not have clearly defined troubleshooting or maintenance guides outlined by the manufacturer.

Interpretation and Judgment

This criterion referred to the level of interpretive or judgment decisions that an analyst must make during all phases of the procedure which included preanalytic and postanalytic decisions as well as decisions made during the analytic process.

A score of "1" was given if the analyst was only required to follow simple directions outlined in detail by the manufacturer to perform the test. If an instrument was part of the procedure, all results and interpretations were automatically performed and the instrument gave a direct read-out of results.

A score of "2" was given if the analyst was required to make some interpretation and judgment before releasing results such as checking for logical consistency with other analytes or making limited judgment decisions on the causes of incorrect results.

A score of "3" was given if judgment or interpretation was required throughout the testing process or if the resolution of problems required extensive interpretation or judgment. Some examples of procedures that would receive a higher score would be those that required judgment to determine the acceptability of some phase of the analytic process before proceeding to a final analysis or those that required an analyst to interpret assay data in light of other parameters, such as gestational status, before reporting a final result.

Another section of the general guidelines for assigning scores was a process for verifying that scores were logical and consistent. During the scoring process and throughout the review process, scores for six of the seven criteria were continually evaluated against each other. (One of the seven criteria, "Calibration, Quality Control and Proficiency Testing Materials", was not part of this verification process because the score for this criterion was a "stand alone" score. Since this criterion referred only to the availability or stability of materials, the score was specific for an analyte or a method. Therefore, a high or low score assigned to this criterion did not affect the scores assigned to any other criteria.) Three of the six criteria, "Knowledge", "Training and Experience", and "Interpretation and Judgment", referred to the skills or background that an analyst must possess to perform the test. The remaining three criteria, "Reagents and Materials Preparation", "Characteristics of Operational Steps", and "Troubleshooting and Maintenance", referred to specific attributes of a test procedure that are present regardless of the skills or background of the analyst. A high score in one of the criteria relating to test attributes would usually necessitate a high score in one of the criteria related to the analyst since the analyst usually needed high level skills to perform complex procedures. In fact, a high score within any criterion that could not be justified by a corresponding high score in one or more related criteria was flagged as inconsistent and the scoring was returned for further review and evaluation.

Publication of Partial Lists of Tests by Complexity

While the process of test categorization was occurring, the Public Health Service (PHS) published four partial lists of test categorizations. These partial lists were released to the public with an open comment period included so that PHS could receive comments on the published categorizations before they became final. This process of publication with comment enabled PHS to have public involvement in the completion of the list to help ensure that it would be as accurate and complete as possible.

List of Waived Tests

During the test categorization process, PHS received requests from a number of sources to publish a list of waived tests by manufacturers. A list of waived tests was published in the **Federal Register** on August 28, 1992 (57 FR 39211). That list, with some additions, is republished in this Notice. It is important to note that, although extensive efforts were made to include all products that meet the criteria for waiver, the list should not be considered inclusive.

Release of Final Scores

Many requests were received to release the final scores assigned to the categorized test systems, assays, and examinations. Scores for specific test systems and analytes may be requested by writing to Dr. John Ridderhof, Public Health Service, 1600 Clifton Road N.E. (Mail Stop MLR5), Atlanta, GA 30333.

Future Requests for Recategorizations or Waiver

Following publication of this comprehensive list, the Public Health Service will consider, once in any 12 month period, a request for recategorization that is based on new information as provided under 42 CFR 493.17(c)(3). Manufacturers seeking recategorization of an instrument, kit, or test system should direct their request to the Food and Drug Administration (FDA). FDA will announce in the **Federal Register** the date that it will begin accepting recategorization requests. Requests for recategorization of tests not subject to FDA approval or methods developed in house should be sent to the Centers for Disease Control and Prevention (CDC). The requests will be reviewed and the requester will be notified of the decision in writing, by FDA or CDC as appropriate.

With respect to requests for waiver, manufacturers seeking waiver of instruments, kits, or test systems should direct their request to FDA. Requests for a waiver of tests not subject to FDA approval should be sent to CDC. FDA and CDC will review all such requests based on the criteria for waiver in 42 CFR 493.15(b) and will consult with each other before making a decision. Proposed additions or deletions to the list of waived procedures, as published in 42 CFR 493.15(c), will also be referred to the Clinical Laboratory Improvement Advisory Committee (CLIAC) for its review and recommendations. All requests for waiver will receive a written response that addresses the decision of all reviewing agencies.

A notice, with a 30 day public comment period, containing the resolution of all recategorization and waiver requests, granted or denied, will be periodically published in the **Federal Register**.

Responses to Comments on the Four Partial Lists

The comments from the 435 test categorization comment letters and the department's responses to them are presented in the following sections. The comments are grouped by subject matter within two main areas: a category of general comments for those that crossed disciplines, and a category that includes clinical laboratory specialty areas for comments specific to a discipline of laboratory practice.

General Comments

The comments addressed in this Notice are only those that were relevant to the four partial lists of tests as published in the Notices described earlier.

Many manufacturers and consumers of products sent comments requesting that specific products be recategorized.

In all instances, the scores assigned to these products during the categorization process were reevaluated. If there was a change in scores that resulted in a recategorization, the recategorization, along with the rationale for the change, is published as part of this Notice. If a product was determined to be categorized correctly, it has been included on this compilation list with no change to its original published complexity and a response to the comment explaining the rationale for not changing the categorization is included in this Notice. Other more specific general comments are as follows:

Comment: Many commenters criticized the fact that "risk of harm" was not one of the explicit criteria used to grade a test for complexity. A few commenters felt that the usefulness of the test or the performance characteristics of the test should also be considered when grading for complexity.

Response: Following a notice and comment period, the complexity model described in the May 21, 1990 NPRM was reevaluated. It was concluded that the overall categorization process described in the NPRM, including application of the "risk of harm" criterion, was flawed because it was too subjective and it focused on the substance being measured (analyte) rather than the methodology for measurement. A revised categorization process was published in the February 28, 1992 Final Rule. The Final Rule established an objective scoring system to place tests into either the "moderate complexity" or "high complexity" category.

The commenters to the Final Rule are incorrect in their criticism that the categorization scheme does not take likelihood of an erroneous result into account when distinguishing between moderate and high complexity tests. As explained in the preamble to the Final Rule, the scoring system measures test complexity by weighing seven factors: knowledge needed to perform the test, training and experience required, complexity of reagent and materials preparation, characteristics of operational steps, availability of calibration, quality control, and proficiency testing materials, troubleshooting and equipment maintenance, and degree of interpretation and judgement. In addition, the new model scores each test system, assay, and examination individually for each criteria. This scoring system contrasts with the scheme set forth in the NPRM which placed analytes such as "red blood cell counts" into categories without distinguishing between the many different systems that can be used to perform such tests. Although "likelihood of erroneous result" is not one of the specific criteria considered, the scoring system, by measuring test complexity, implicitly distinguishes between tests based on risk of error because the more complex a test is, the more likely it is that the test will produce an erroneous result. Thus, under the current scheme, the most complex tests fall into the "high complexity" category. Laboratories performing these tests must meet the most stringent personnel requirements. Tests that are less complex fall into the "moderate complexity" category. Laboratorians that perform moderate complexity tests need only meet intermediate personnel requirements.

As noted in the preamble to the February 28, 1992 Final Rule, "risk of harm to the patient if a test is performed incorrectly" was also deleted as an explicit criterion for categorizing non-waived tests. This factor was dropped, in part, in response to comments to the NPRM complaining that the "risk of harm" standard rendered the categorization process too subjective.

It is agreed that the "risk of harm" standard is unworkable because the consequences to the patient of an erroneous test result will vary tremendously depending on such factors as the patient's medical condition, the purpose for which a test is being conducted, and the treatment prescribed by a physician due to the test result. For example, the harm to the patient caused by an erroneous lymphocyte count will vary depending on the actual medical condition of the patient. If a serious medical condition such as leukemia goes undetected for a long period of time due to the erroneous result, then the harm to the patient may be quite serious. If however, the patient has a viral upper respiratory infection, a disease for which there is very little treatment, the consequences to the patient will be far less serious. The risk of harm will also vary depending on how a physician reacts to an erroneous test result. If an inaccurate test report leads a physician to order additional tests, then the patient will suffer no tangible harm. Incorrect test results that lead a physician to prescribe more intensive treatments, however, may have more serious consequences for the patient.

Thus, in order for the categorization process to truly reflect the risk of harm to the patient if a test is performed incorrectly, each test would have to be separately categorized based on why the test was being prescribed, the type of condition that was being tested, and the condition of the patient. Adding this layer of complexity to what was already an intricate system would have been an impossible task. Even if a classification scheme incorporating risk of harm could have been developed, the application of that scheme would have been unworkable. Under such a scheme, clinicians and laboratory directors would required to ascertain the context of each tests before determining which laboratory personnel could perform it. Introducing this type of subjectivity into the process would frustrate our goal of developing manageable regulations that would contribute to improved performance of the nations's clinical laboratories.

Consequently, in accordance with 42 U.S.C. 263a (f) (1) (C), the Secretary has determined that it would not be "appropriate" to consider the risk of harm to the patient when categorizing tests for the purpose of establishing personnel qualifications. As discussed above, the Secretary determined that the risk of harm criterion as applied in the NPRM was unworkable and fundamentally flawed because it did not take into account the context in which tests were to be performed. Indeed, the Secretary concluded that due to the wide variety of contexts in which tests are conducted, consideration of "risk of harm" would be virtually impossible. Moreover, the Secretary realized that even if a list based on harm to the patient could have been created, it would have been unmanageable and very difficult for the regulated laboratories to apply in everyday practice.

The analytical performance characteristics of a test such as its inherent inaccuracy or imprecision, although important, are not directly related to the difficulty of performing the test and therefore were not part of the criteria for grading tests by complexity.

Comment: Many commenters were critical of the scoring system. Some felt that the preanalytic and postanalytic components of a test had been ignored. Others felt the system was flawed because it was based on a horizontal summation instead of a weighted summation. These commenters felt a high score in one criteria should automatically make a procedure high complexity.

Response: We agree with the commenters that this is a critical issue and regret that it was not clearly understood that these factors were considered under the CDC grading system. Preanalytic factors such as

knowledge of specimen collection, transportation, and handling were evaluated under the criterion "Knowledge." Other preanalytic factors such as proper specimen preparation or manipulation prior to testing were evaluated under the criteria "Training/Experience" and "Characteristics of Operational Steps." Postanalytic factors such as performing calculations, interpreting results in the context of the patient information, discerning agglutination patterns, and recognizing technical problems within the procedure were evaluated under the criterion "Interpretation and Judgment." Thus, four of the seven criteria used to categorize a test included critical pre and postanalytic factors. Additionally, the process of verifying consistency in scoring by evaluating test characteristics for one criterion against test characteristics for related criteria gave consideration to high scores without the necessity of weighting the scoring process. No test system, assay, or examination which was assigned a score of "3" for any criterion, other than "the availability of QC and PT materials," received a total score low enough to place it in the moderate complexity category.

Comment: Some commenters rescored test systems, assays, and examinations using the seven criteria and received a much lower score by assigning a score of "0" to one or more criteria.

Response: As stated previously, the scores assigned were either 1, 2, or 3. A score of "0" was not a choice. In practice, this means that the lowest possible score a test system, assay, or examination could receive is "7".

Comment: A few commenters requested that all reagents designed for use on specific automated instruments be identified and graded for complexity.

Response: Only complete test systems, assays, or examinations were graded for complexity. Complete test systems, assays, or examinations include reagents, instruments, and all other components critical to the performance of the test. Reagents alone do not constitute a complete test system. If one manufacturer's reagents were cleared by the FDA to be used on another manufacturer's instrument, the assumption was made that the complexity of the test assay, as defined by the analyte and the instrument, would not change.

Comment: A few manufacturers requested product name changes or deletions of instruments and/or kits because of company acquisitions, new contracts or products being removed from the market.

Response: Existing instruments and/or products that have been acquired by another company and have undergone a name change, will not be deleted from the test categorization database. The acquired instruments or products will be added to the database as separate entries and scored for complexity under the new company's tradename. Likewise, instruments and/or products that are no longer available will not be deleted from the database. Such instruments or products may still be in use. The process of retaining historical listings for test systems and analytes in the database ensures that products will be categorized under all possible recognized names.

Comment: One commenter stated that categorizing certain instruments/readers for urine qualitative dipstick and erythrocyte sediment rate (ESR) as either moderate or high while the manual method for ESR and urine qualitative dipstick chemistries was waived, was not logical. The commenter also stated that this classification would discourage the purchase of instruments and impede the development of new automated methods.

Response: Adding an instrument to a procedure for any analyte changes the test procedure and can either increase or decrease its complexity. Since automated procedures for these analytes were not included in the list of waived tests, these automated methods were categorized as moderate or high complexity using the seven criteria for categorization of test systems.

Comment: Commenters asked for clarification of the complexity of analytes not listed in the Federal Register that are parameters of other analytes that are listed. For example, the reportable parameters in Blood Gases with pH such as pCO2 and pO2 are not listed as separate analytes. Does this make these unlisted parameters high complexity by default?

Response: Unlisted parameters which are part of a listed analyte are not high complexity by default. As addressed in the second partial test list published on July 8, 1992, Blood Gas with pH is considered one analyte. Specific components of blood gas analyses, such as pCO2 and pO2 are not considered "stand alone" analytes but rather parameters of the analyte, "blood gas with pH." Other analytes that are composites of unlisted parameters are Carboxyhemoglobin and Oxyhemoglobin/Oxygen Saturation which both depend on the measurement of methemoglobin and hemoglobin to arrive at a final result. Methemoglobin and hemoglobin will not be listed as separate analytes for instruments or assays that measure carboxyhemoglobin or oxyhemoglobin. Likewise, the calculated hematologic parameters, MCV, MCHC and MCH will not be listed as "stand alone" analytes.

Comment: A number of commenters thought that the process of test categorization would determine if a procedure should be waived. Numerous requests were submitted for specific products to be waived. Most of the requesters felt the specific products mentioned were simple procedures that met the criteria for a waived test. The following is a list of the test systems, assays, and examinations that commenters requested to be waived:

All color change urine and serum pregnancy tests that use monoclonal antibodies
All procedures for Total Immunoglobulins [illegible]
All procedures for Allergen Specific IgE
Urine microscopic examination
KOH Preparations
Pinworm preparations
Trichomonas preparations—vaginal wet mounts
Wet preps for bacteria, fungi, or parasites
Simple, direct microscopic examinations of urine, or vaginal secretions done by physician in office
Simple microscopic tests done by physician in office which include vaginal saline wet mount, post coital tests for sperm count and inspection of mucous, and exam of urinary sediment.
Tzanck smears
Darkfield examination
Gram stain
CLOtest for *Helicobacter pylori*
Fungal cultures
Activated clotting time
HemoCue for hemoglobin
HemoCue for glucose
Biosite Triage Panel of Drugs of Abuse
Syntex Acculevel screen for therapeutic drugs
Cholestech L.D.X. for HDL and total cholesterol
ChemTrak Accumeter for total cholesterol
Corning Biotrack 512
Du Pont Coumatrak

Response: The process of grading for complexity by the seven criteria, as mentioned previously, was not the process used to determine procedures to be waived. The test categorization process determined whether non-waived procedures should be classified as moderate or high complexity. The rationale for waiving or not waiving the specific systems that commenters requested for waiver is presented below for each test system:

All Color Change Urine and Serum Pregnancy Tests That Use Monoclonal Antibodies

The list of waived procedures as described in 42 CFR 493.15 specifically states that the pregnancy tests that meet

the criteria for waiver are color comparison tests performed on urine. Many color change pregnancy tests designed for urine testing have been cleared by the FDA for home use. Although many of the urine color change pregnancy tests can also be performed on serum, no serum pregnancy test has been waived nor has the FDA cleared any of these tests for home use.

All Procedures for Allergen Specific and Total IgE

There are many different types of test procedures for allergen specific and total IgE and these procedures include both moderate and high complexity tests. An example of a moderate complexity test would be a "test strip" procedure that has strict timing and/or temperature control requirements and requires some interpretive skill to discern a positive or negative result or to identify procedural errors. A more complex procedure would be one containing non-automated spectrophotometric measurement, critical timing, or extensive washing of the solid phase matrix which would require a significant amount of operator intervention. All of these procedures require some level of judgment and interpretation on the part of the analyst to arrive at a final result. None of the tests for allergen specific or total IgE meet the criteria for waiver.

Physician Performed Microscopy

These tests do not meet the criteria for waiver and, for the most part, are categorized as moderate complexity. The tests mentioned in comment letters were all microscopic evaluation procedures that require a high level of interpretive skills. For example, the KOH preparation requires skill to identify specific cellular/fungal elements in clinical specimens and to distinguish them from debris and other artifacts. This procedure also requires training in the proper manipulation of the microscope. All of these characteristics were considered in categorizing these procedures as tests of moderate complexity. We do not feel that these tests fit the criteria for waived tests. However, a new subcategory of testing called "Physician-Performed Microscopy" has been established as described in HSQ–202–FC and published in the **Federal Register** on January 19, 1993 (58 FR 5215). Physicians performing the specific tests included in this subcategory are not subject to routine inspections. The following tests are included in the subcategory, "Physician Performed Microscopy":

KOH preparations
Pinworm preparations
Urine sediment examinations
Wet mounts of vaginal, cervical or skin specimens
Post-coital qualitative exams of vaginal or cervical mucous
Fern test

Note: At the May 1993 CLIAC meeting, a request was made that stained nasal smears for the presence of granulocytes be added to the list of tests in this category. Following the committee's recommendation, CDC is evaluating this test for possible inclusion in the physician-performed microscopy category.

Tzanck Test

The Tzanck test is used for a preliminary diagnosis of Herpes zoster, simplex or varicella. A smear is made from cellular material taken from the base of a vesicular eruption, and the smear is stained with Wright's or Giemsa stain. Experience in the use of the light microscope is required to perform the test. The analyst must have knowledge of normal epithelial cells and the changes that occur in these cells when they are infiltrated by an infectious agent. Interpretive skill is required to identify the large nucleated cells that are indicative of this type of infection. Judgment is required to determine if confirmatory testing is required. This test does not meet the criteria for waiver nor does it meet the criteria for the subcategory "Physician-Performed Microscopy."

Darkfield Examination

The darkfield examination is used primarily for the detection of *Treponema pallidum*. The analyst must have training and experience in the use of the darkfield microscope and in the proper collection and handling of the sample. Judgment is required to detect the presence of the organism and distinguish it from tissue debris. Interpretive skill is required to recognize the characteristic motility pattern of *Treponema pallidum*. The darkfield examination does not meet the criteria for waiver.

Gram Stain

The analyst must be trained in the use of the light microscope and the gram stain technique. Correct timing of stains and recognition of under/over decolorization is important. The analyst must have a basic knowledge of leukocytes and intracellular gram negative diplococci for the examination of endocervical and urogenital specimens. For all other sources, the analyst must have a comprehensive knowledge of all possible organisms that could contribute to the inflammatory state and any normal flora or cellular material that might be present in the specimen. Extensive training is required for the analyst to recognize and enumerate the type of cellular material and identify the microscopic characteristics of normal flora and pathogenic bacteria for each site/source. The gram stain does not meet the criteria for waiver.

CLOtest by Delta West

The CLOtest is performed on a tissue sample removed during endoscopy for the purpose of identifying the presence of *Helicobacter pylori*. Prior to testing, the analyst must examine the testing wells for any color change that would indicate possible reagent deterioration and use professional judgment to determine whether or not the wells are acceptable for use. The gel in the testing wells must be warmed prior to use. Judgment and interpretation are required to recognize a color change in the gel that is specific for the organism and to interpret results in required time frames. The analyst must be able to recognize a false positive color change caused by other organisms. The CLOtest does not meet the criteria for waiver.

Fungal Cultures

Fungal cultures require that the analyst be trained to properly collect and transport specimens, and to select the appropriate media for optimal growth of the suspected yeast or mold. Training and experience are also necessary to perform microscopic evaluations and conduct the appropriate biochemical analyses. Extensive knowledge, experience, and interpretation are required to identify and select fungi for subculture, to correctly interpret biochemical testing results and to provide final identification of the isolated fungi. Fungal cultures do not meet the criteria for waiver.

Activated Clotting Time

Results of the Activated Clotting Time are very technique dependent. Careful technique is required to properly collect and handle blood samples and avoid contamination with tissue fluid or other extraneous clotting factors. In most procedures, thorough and careful mixing of blood and reagent is essential. A few others require vigorous resuspension of activator prior to addition of the sample. Some procedures require precise timing. To optimize precision, all technique variables should be held constant from test to test. Although many instruments give a direct readout, the analyst is usually advised to visually verify the

instrument's result by inspecting the clot for the presence of an incomplete clot or other indications of the need for repeat or additional testing. The analyst must also be able to recognize an instrument malfunction such as a variation in temperature. Tests for activated clotting time do not meet the criteria for waiver.

Hemocue for Glucose: This procedure for glucose has not been cleared for home use and therefore is not waived.

Hemocue for Hemoglobin: In accordance with the recommendation of CLIAC, a new waived category, "Hemoglobin by single analyte instruments with self-contained or component features to perform specimen/reagent interaction, providing direct measurement and readout", was published in HSQ–202–FC in the **Federal Register** on January 19, 1993 (58 FR 5215). The HemoCue for hemoglobin fits this new category and has been added to the list of waived procedures as reflected in this compilation.

Biosite Triage Panel of Drugs of Abuse

This test is a visual immunoassay test performed on urine. Training is required to perform all steps in the procedure. The test requires the addition of an exact amount (140 ul) of specimen to the reaction cup, incubation of the reaction for a specific timed interval, manual quantitative transfer of the reaction mixture to a detection area followed by a second timed reaction interval. The final phase in the procedure includes addition of a wash solution that must react for a specific period of time but that time must not be allowed to exceed the 10 minute limit for reading of results. Judgment is required to interpret positive results and compare them with a "test valid/test invalid" bar. Factors such as technical or procedural errors, as well as additional substances in the urine sample, may interfere with the test and cause erroneous results. This test does not meet the criteria for waiver.

Syntex Acculevel Screen for Therapeutic Drugs

This test is a quantitative immunochromatographic test which is performed on whole blood. Training is required to collect an exact 12ul volume of specimen for analysis and to quantitatively add the sample to reagents. After a timed (15–20 min.) interval, the test cassette must be moved from the first reagent tube to a second reagent tube. After a second timed incubation, the test cassette is removed from the second reagent and must be read within 1 minute. The height of the chromatographic color bar on the test cassette must be compared to a result table, which is lot specific for the kit, and converted to ug/ml or umol/L. Judgment is required to recognize the endpoint when color change is complete and to correctly convert the color comparison chart to a quantitative result. This procedure does not meet the criteria for waiver.

Cholestech L.D.X. for HDL and Total Cholesterol

The Cholestech L.D.X. measures HDL, total cholesterol and triglycerides on whole blood, plasma or serum. The analyst must add a specific quantitative amount of sample to the sample well. As noted by the manufacturer, the procedure includes a critical time limit for the addition of the sample to the well. Training is required for the analyst to correctly interact with and maintain the instrument. Interpretation and judgment are required to evaluate patient results and determine the need for repeat testing or possible interfering substances. The manufacturer of the Cholestech L.D.X. has recently submitted new information on this test system. The request for waiver, based on this new information, is currently under review.

ChemTrak Accumeter for Total Cholesterol

The ChemTrak Accumeter was recently cleared for home use by the Food and Drug Administration. Subsequent to the FDA clearance, the manufacturer petitioned CLIAC for waiver status. At its May 1993 meeting, CLIAC recommended that this system be considered for waiver. The ChemTrak Accumeter is currently being reevaluated for possible inclusion on the list of waived tests.

Ciba Corning Biotrack 512/Du Pont Coumatrak

The Ciba Corning Biotrack 512 and the Du Pont Coumatrak are similar instruments designed to measure Activated Partial Thromboplastin Time (APTT) and/or Prothrombin Time (PT). An essential component of these systems is a test cartridge that has specific storage requirements. The analyst must be trained in the proper collection of a blood sample free of tissue fluid which is essential for accurate test results. Training is also required in the proper placement of the blood sample on the test cartridge, the performance of procedural steps, the detection of procedural errors during analysis and the proper storage of the instrument and test cartridges. Judgment is required to determine the need for repeat or more comprehensive testing. These test systems do not meet the criteria for waiver.

Specialty Area Comments

Comments on Microbiology Tests

Overiew of changes made to Microbiology: During the open comment period for the list of test systems, assays, and examinations published as a Notice in the **Federal Register** on February 28, 1992, comments were received suggesting that certain areas of microbiology should be recategorized as high complexity. Comments specifically targeted the degree of interpretation and judgment required to identify organisms grown on culture media. In response to these comments, this area of microbiology was reevaluated and revised to recognize that the isolation, identification, and susceptibility determination of organisms transferred from culture media constitute a total process which should be categorized as a single test. Identifications and/or susceptibility determinations of organisms transferred from culture require significant knowledge, training, and interpretation for the selection and performance of the individual test components which may include staining for microscopic evaluation, subculturing, and conducting miscellaneous biochemical analyses. Taking these factors into consideration when scoring procedures, those microbiology test systems, assays, and examinations involving identification and/or susceptibility determinations of organisms transferred from culture media have scored in the high complexity category. Conversely, many microbiology test systems, assays, and examinations that do not require the transfer of organisms (e.g., colony counts) and only provide preliminary results have been categorized as moderate complexity. We have also graded for complexity those test systems, assays, and examinations that, when used for identification, will, in most instances, identify an organism without additional biochemical and/or physiological tests.

Most of these changes were published in the **Federal Register** on September 2, 1992. Subsequently, it was decided to request input on this issue from the Clinical Laboratory Improvement Advisory Committee (CLIAC). Consequently, on October 2, 1992, the published proposed changes in the area of microbiology were rescinded to allow for additional consideration. The CLIAC, at its first meeting on October 28 and 29, 1992, endorsed the changes proposed in this area of microbiology.

All the microbiology changes that resulted from the reevaluation and that were proposed to CLIAC and approved by them, have been incorporated in this compilation and are described below.

As discussed in previous pages, the following analyte/test systems entries published on February 28, 1992 as moderate complexity have been recategorized from moderate to high complexity when rescored:

Aerobic &/or Anaerobic Organisms-Unlimited Sources

All Manual KB Disc Diffus Antimicrobial Susceptibility Tests
Vitek Systems VITEK (including culture)

Campylobacter

Becton Dickinson BBL Campyslide Test (including culture)
Meridian Diagnostics Meritec-Campy (JCL) (including culture)

Escherichia Coli

Bio-Medical ANI *E. coli* 0157 Test (including culture)
Pro-Lab Diagnostics *E. coli* 0157 Latex Test (including culture)
Unipath *E. coli* 0157 Latex Kit (including culture)

Haemophilus Influenzae, Type a, c-f

Karobio Phadebact Haemophilus (including culture)

Haemophilus influenzae, type b

Karobio Phadebact Haemophilus (including culture)

Neisseria Gonorrhoeae

Adams Scientific Identicult—*Neisseria* (including culture)
Karobio Phadebact Monoclonal Gonococcus (including culture)
Meridian Diagnostics Meritec-GC (including culture)
New Horizons Gonogen (including culture)
New Horizons Gonogen II (including culture)

Salmonella

Bio-Medical ANI *Salmonella* Test (Including Culture)

Staphylococcus

Adams Scientific SeroStat II *Staphylococcus* (including culture)
Advanced Medical Technologies Rapi-Staph (including culture)
Baxter MicroScan StaphyLatex (including culture)
Becton Dickinson BBL Staphyloslide (including culture)
Bio-Medical ANI *S. aureus* Test (including culture)
Carr-Scarborough Accu-Staph (including culture)
Difco Bacto Staph Latex Test (including culture)
Immuno-Mycologics LA-Staph (including culture)
Innovative Diagnostic Systems IDS Staphylochrome (inc. culture)
Medical Diagnostics Technologies Staph Latex (including culture)
NCS Staphslide (including culture)
Regional Media Lab Hemastaph (including culture)
Vitek Systems RAPIDEC Staph (including culture)
Wellcome Staphaurex (including culture)

Streptococcus, Group A

Abbott TestPack Strep A (including culture)
Adams Scientific SeroStat *Streptococcus* (including culture)
Antibodies Inc. Detect-A-Strep (including culture)
Becton Dickinson BBL Strep Grouping (including culture)
Diagnostic Products PathoDx LA Strep Group (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Kodak SureCell (including culture)
Medical Technology Corp. Optitec Strep A (including culture)
Medix Biotech Sure-Strep A (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
V-Tech V-Trend Strep A (including culture)
Wellcome Reveal Colour Strep A (from culture)
Wellcome Streptex (including culture)

Streptococcus, Group B

Adams Scientific SeroStat *Streptococcus* (including culture)
Becton Dickinson BBL Strep Grouping (including culture)
Diagnostic Products PathoDx LA Strep Group (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Meridian Diagnostics Meritec-Strep (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
Wellcome Streptex (including culture)

Streptococcus, Group C

Adams Scientific SeroStat *Streptococcus* (including culture)
Diagnostic Products PathoDx LA Strep Group (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Meridian Diagnostics Meritec-Strep (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
Wellcome Streptex (including culture)

Streptococcus, Group D

Bio-Medical ANI Strep Test (including culture)
Diagnostic Products Corp. PathoDx Strep D (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
Wellcome Streptex (including culture)

Streptococcus, Group F

Adams Scientific SeroStat *Streptococcus* (including culture)
Diagnostic Products PathoDx LA Strep Group (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Meridian Diagnostics Meritec-Strep (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
Wellcome Streptex (including culture)

Streptococcus, Group G

Adams Scientific SeroStat *Streptococcus* (including culture)
Diagnostic Products PathoDx LA Strep Group (including culture)
Karobio Phadebact *Streptococcus* (including culture)
Meridian Diagnostics Meritec-Strep (including culture)
Unipath Oxoid Streptococcal Grouping Kit (including culture)
Wellcome Streptex (including culture)

Yeast, C. Albicans Only

Analytab API 20C Yeast Identification Kits (including cult.)
Analytab Yeast Ident (including culture)
Carr-Scarborough *C. albicans* Disc Screening Kit (inc. cult.)
Medical Wire Equip. MicroRing YT (including culture)

The following test system entries have been deleted from the moderate complexity test list because these test systems require identification from culture and, as reflected in the compilation included in this Notice, are high complexity regardless of the [illegible]

Analytab API 20 *Streptococcus*
Analytab API Laboratories Rapid E
Analytab API Laboratories Rapid NFT
Analytab API Laboratories Rapid Strep
Analytab API Quad Ferm +
Analytab API Staphase III
Analytab API ZYM Microorganism Differentiation
Baxter *Haemophilus/Neisseria* Identif—Panel
Becton Dickinson Minitek Kits
Innovative Diagnostic Systems IDS Rapid SS/U System
Innovative Diagnostic Systems Modified IDS Rapid NH System
Innovative Diagnostic Systems Rap NF Plus System
Innovative Diagnostic Systems Rapid NF System
Micro Media Systems Bacterial ID Panels/Gram Neg/Gram Pos
Roche Enterotube II

The following test system entries in the area of microbiology as published on February 28, 1992 have been deleted from the list of test systems, assays, and examinations categorized by complexity. These test system entries are not complete test systems and therefore will not be individually graded for complexity. Since all of these entries are used for identification of organisms from culture, they represent components of a total test process that is high complexity:

Adams Scientific B. Cat Confirm
Adams Scientific Identicult—AE
Adams Scientific Identicult—BL

Adams Scientific Mug-Indole Disc
Adams Scientific Rapid-Hippurate
Adams Scientific Stat-Urease
American Biomedical Prod. B. Fragtex
Anaerobe Systems Bile Differential Disk
Anaerobe Systems Colistin 10 mcg. Differential Disk
Anaerobe Systems Kanamycin 1000 mcg Differential Disk
Anaerobe Systems Vancomycin 5 mcg Differential Disk
Analytab API Germ Tube
Analytab API StaphTrac
Baxter Coagulase Plasma
Baxter MicroScan Rapid Yeast Identification Panel
Becton Dickinson Cefinase Discs
Calbiochem Padac Differentiation Discs
Calbiochem-Behring Anti-Dnase B
Carr Microbiologicals Beta Lactamase Reagent Disc
Carr Microbiologicals CSM Chromogenic B-Lactamase Disc
Carr Microbiologicals Hipp Microtube
Carr Microbiologicals Onpx-Indol Microtube
Carr Microbiologicals PYR Broth
Carr Microbiologicals PYR Discs
Carr Microbiologicals Pgua-Indol Microtube
Carr Microbiologicals Phos Microtubes
Carr Microbiologicals Pro Discs
Carr Microbiologicals Pyrr Microtubes
Carr-Scarborough ALN Differentiation Discs
Carr-Scarborough Acridine Orange Stain
Carr-Scarborough Rapid Glutamic Acid Decarboxy Microtube
Diagnostic Products Corp. PathoDx PYR Kit
Difco Differentiation Discs ALA
Difco Differentiation Discs Colistin 10 mcg
Difco Differentiation Discs Erythromycin 60 mcg
Difco Differentiation Discs Hippurate
Difco Differentiation Discs Kanamycin 1000 mcg
Difco Differentiation Discs Nitrate
Difco Differentiation Discs Penicillin G 2 units
Difco Differentiation Discs Rifampin 15 mcg
Difco Differentiation Discs SPS
Difco Differentiation Discs Spectinomycin
Difco Differentiation Discs Vancomycin 5 mcg
Difco DrySlide Beta-Lactamase
Difco DrySlide Oxidase
Difco Spot Test 10% Na Desoxycholate
Difco Spot Test Acridine Orange Stain
E-Y Laboratories Oxidase Swabzyme
E-Y Laboratories Strep-A-Chek PYR
Innovative Diagnostic Systems Beta Discs
Innovative Diagnostic Systems Oxichrome Reagent
Innovative Diagnostic Systems Porphyrin Reagent
Kev Connecticut Diagnostics Visi-Strep
Meridian Indol Spot Test Kit
Micro Media Systems M. Cat. Butyrate Disc
Micro-Bio-Logics KWIK–LAC
Micro-Bio-Logics Lyfo-KWIK OMI Kit
Micro-Bio-Logics Neisseria-KWIK Plus
Microbiological Specialties Beta-ase Tubes
Microbiological Specialties Enzyme-ase I Tubes
Microbiological Specialties Galactosid-ase Tubes
Microtech Medical Systems Quadra-titer ID
Pro-Lab Hippurate Test
Pro-Lab Rosco D'Ala Rapid Test
Pro-Lab Rosco Pyrr
Remel ALA Disc
Remel Acridine Orange Stain
Remel Beta Lysin Disc
Remel Beta-Lactam Disc
Remel Bile Disc
Remel CEPH Lactam Disc
Remel Catarrhalis Test Strip
Remel Coagulase Plasma
Remel Colistin Disc
Remel Hemastaph
Remel Kanamycin Disc
Remel *Legionella* ID Disc
Remel Lysostaphin Test Kit
Remel Microdase
Remel Nitrate Swab-Rapid Test
Remel Novobiocin Disc
Remel PYR Disc
Remel PYR/Esculin Disc
Remel Porphyrin (ALA) Disc
Remel Pyridoxal Disc
Remel SPS Disc
Remel Urea-PDA Discs
Unipath Oxoid Bile Esculin Discs
Unipath Oxoid ONPG Discs
Unipath Oxoid Oxidase ID Sticks
Unipath Oxoid SPS Discs
Unipath Oxoid V Factor Discs
Unipath Oxoid X & V Factor Discs
Unipath Oxoid X Factor Discs

The following test system entries have been deleted from the list because they are procedures that are part of an automated system. A complete testing process involving an instrument includes both the automated procedure and individual identification procedures which are taken into account when the instrument is graded for complexity. The following entries, therefore, do not represent complete test systems:

Aerobic &/or Anaerobic Organisms-unlimited Sources

Baxter MicroScan Gram Neg Panels
Baxter MicroScan Gram Pos Panels
Vitek Systems VITEK AMS ANA Card
Vitek Systems VITEK Anaerobe ID Card
Vitek Systems VITEK/ANI Anaerobes
Vitek Systems VITEK/*Bacillus* Biochem. Card
Vitek Systems VITEK/EPS Enteric path. Card

The following analyte/test system entries have been removed from the test list for moderate complexity because the test systems do not include a procedure for reporting a positive result without a titer. Therefore, the following test system entries, as published on February 28, 1992, do not describe complete test procedures:

Yeast, Cryptococcus Only

Baxter MYCO-Immune Cryptococcal LA (dir Ag) (non-titration)
Meridian Cryptococcal LA System (dir Ag) (non-titration)

While reevaluating the area of microbiology as published on February 28, 1992, and in response to comments received, we determined that the categorization of all gram stains as moderate complexity should be revised and clarified. We determined that a gram stain on a urethral specimen requires less knowledge, training, and interpretation than a gram stain from other sources because the analyst is not required to recognize multiple organisms, there is less background material, and the enumeration of multiple cell types is not usually required. Comments, from local and state health departments and others, on this gram stain recategorization as published on September 2, 1992, strongly suggested that CDC look again at the complexity of gram stains focusing this time on gram stains from cervical smears. Commenters felt that gram stains from cervical smears are similar to gram stains from urethral smears and thus are not as complex as gram stains from other sources. Although we saw a difference in the interpretation and judgment required for the gram stains from these two sources, we concluded that the difference was not sufficient to place the gram stain from cervical smears into high complexity. When this issue was presented to the CLIAC, they agreed with the recategorization of cervical gram stains to moderate complexity. Therefore, gram stains from urethral sources and from endocervical smears have been categorized as moderate complexity while gram stains from all other sources are categorized as high complexity.

In response to comments, we reevaluated approximately 280 antigen detection systems in the area of microbiology and recategorized 16 systems from moderate to high complexity based on the amount of interpretation, judgment, knowledge, and training required for these procedures. Supplemental information on these tests was received from laboratory professionals with experience performing the procedures and was verified through product inserts submitted by manufacturers. Based on this information, the 16 procedures were determined either to be technically complex with multiple steps that included extensive sample and reagent preparation, precise temperature control and exact timing requirements, or to require a high level of interpretation and judgment. Additionally, the complexity of the tests required a higher level of training and experience to perform the procedure than was originally indicated. As a result of this reevaluation, the following complex antigen detection systems have been recategorized from moderate to high complexity:

Adenovirus

Analytab API Adenovirus Test Kit-EIA (dir Ag/visual)
Analytab API Adenovirus Type 40/41 EIA (dir Ag/visual)
Cambridge Biotech Adenoclone-EIA (direct Ag/visual)
Cambridge Biotech Adenoclone 40/41 (direct Ag/visual)

Chlamydia

Analytab API IDEIA (direct antigen/visual)

Herpes Simplex

Fairleigh Dickinson ELISA for HSV (dir Ag/visual)

Intestinal Parasites

Alexon ProSpecT Giardia Microtiter (dir Ag/visual)

Respiratory Syncytial Virus

Sanofi/Kallestad Pathfinder RSV (direct antigen/visual)

Rotavirus

Abbott Rotazyme II Diag. Kit (direct Ag/visual)
Analytab API Rotavirus Test Kit (direct Ag/visual)
Cambridge Biotech Rotaclone (direct antigen/visual)
Isolab RotaVirus EIA (direct antigen/visual)
Sanofi/Kallestad Pathfinder Rotavirus (direct Ag/visual)

Yeast, Cryptococcus Only

Baxter MYCO-Immune Cryptococcal Ag Latex Agg (dir Ag)
Meridian Cryptococcal Antigen Latex Agg. System (dir Ag)
Meridian Premier Cryptococcal Ag. Test (dir Ag/visual)

The following are other specific comments received on microbiology issues:

Comment: Many laboratory professionals recommended that all cultures and/or susceptibility determinations be placed in the high complexity category regardless of the source of the specimen. Many other commenters requested that cultures from specific sources or for specific organisms be placed in moderate complexity. One commenter recommended that moderately complex culture procedures be limited to the isolation and presumptive identification of aerobic organisms.

Response: Each test system was individually graded for complexity; categorization of the procedure defined as "culture" was not determined by analyte or specimen source. Some microbiology procedures (e.g., those using selective media) that require minimal technical skill and interpretation were placed in the moderate complexity category. Other culture and sensitivity procedures that require extensive knowledge, training, and interpretation for the selection and performance of the individual test components received scores that placed them in the high complexity category.

Comment: Some commenters requested that sensitivity testing be placed in the moderate complexity category because placing it in high complexity will limit its use in a physician's office and interfere with patient treatment and increase costs.

Response: All microbiology procedures involving susceptibility testing of organisms have been placed in the high complexity category because sensitivity is only a part of a total process which also involves culture, isolation and identification. These procedures require extensive knowledge, training, experience, and judgment to determine the presence of a pathogen; prepare a standard inoculum of a pure isolate; evaluate susceptibility results for each antibiotic; and solve problems (e.g., errors due to mixed cultures). It should be noted that the fact that a test procedure is categorized as high complexity does not necessarily exclude it from use in a physician's office laboratory. The physician's office laboratory can continue to perform these procedures provided it complies with CLIA regulations for laboratories performing high complexity testing.

Comment: Some commenters recommended that urine cultures and colony count kits be kept in the moderate complexity category. The commenters felt that placing urine cultures in high complexity would impede practice in a physician's office. Other commenters felt that all culture identifications should be high complexity. A laboratory professional organization recommended that, in addition to categorizing urine cultures as high, colony counts should also be categorized as high complexity.

Response: In general, urine cultures have been categorized as high complexity while urine colony counts have been categorized as moderate complexity. Urine cultures require extensive knowledge, training, and interpretation for the selection and performance of the individual test components which may include staining for microscopic evaluation, subculturing, and conducting the appropriate biochemical analyses. On the other hand, urine colony counts alone, without identification of organisms do not require this level of knowledge, training, or interpretation. Some kits for urine culture and colony counts have been categorized as moderate complexity for colony counts only, while the culture has been categorized as high complexity. It is true that many of these culture kits provide a preliminary identification without the need to transfer organisms. However, these identifications require the interpretation of several differential media to distinguish multiple organisms and therefore require a high level of knowledge, training, and interpretation.

Comment: A few commenters recommended that primary culture inoculation be kept in the moderate complexity category with the provision that the cultures be referred to a laboratory certified to perform high complexity testing. One commenter recommended that primary culture inoculation be a waived test while another commenter felt that primary culture inoculation should not be considered a test at all.

Response: In reevaluating the Microbiology specialty area it was determined that primary culture inoculation was not a complete test, but part of the test defined as culture. Therefore, it was not graded for complexity nor was it waived. A laboratory can continue to perform primary inoculation without regulatory requirements if the culture is then subsequently read only by a laboratory certified to perform the test defined as culture. It is important to note that if the culture is read even to the point of providing a result of "No growth", it is considered an identification from culture and, therefore, the laboratory must be certified to perform the entire culture procedure.

Comment: One commenter recommended that fungal cultures be placed in the waived category because they are simple and easily performed tests which pose no reasonable risk to the patient if performed incorrectly.

Response: Cultures are not simple procedures. They require extensive knowledge, training, and interpretation for the selection and performance of the individual test components which may include microscopic evaluation, subculturing, and conducting the appropriate biochemical and/or physiological analyses.

Comment: One commenter recommended that the tests for the presence or absence of Dermatophytes be placed in the high complexity category.

Response: Each test system was individually graded for complexity. Some methodologies for determining the presence or absence of Dermatophytes utilizing selective media were placed in the moderate complexity category. These systems require significantly less knowledge, training/experience, and interpretation/judgment than routine fungal cultures. They do

not require transfer of organisms (e.g., for isolation); they contain selective media to inhibit other organisms; and the interpretation of test results is based only on discerning a definitive color change.

Comment: One organization recommended that the testing systems for the presence or absence of Dermatophytes be recategorized as high complexity tests because this media will support the growth of Biosafety Level 3 pathogens, in particular *Histoplasma capsulatum, Blastomyces dermatitidis,* and *Coccidioides immitis.*

Response: Utilizing consultants with expertise in the area of mycology, it was determined that the test systems for the presence or absence of Dermatophytes will remain in the moderate complexity category. While it is true that more mycotic infections will be seen with an increasing population of immunocompromised patients, the attending physician, being aware of the patient's clinical picture, is best able to discern the need of screening for dermatophytes versus performing a routine fungal culture. Routine fungal cultures for *Histoplasma capsulatum, Blastomyces dermatitidis,* and *Coccidioides immitis* are high complexity tests.

Comment: A few commenters recommended that cultures for the presence or absence of *Trichomonas vaginalis* be placed in the high complexity category.

Response: Several of these systems were placed in the moderate complexity category because they require no selection of organisms and minimal interpretation of results (e.g., results based on media color changes or turbidity).

Comment: A few commenters recommended that culturing for *Neisseria gonorrhoeae* or Group A *Streptococcus* be reclassified from the high to the moderate complexity category.

Response: Cultures performed on selective media were reevaluated with the help of professionals with expertise in this area. As a result, some systems for the isolation and preliminary identification of *Neisseria gonorrhoeae* and Group A *Streptococcus* from specific body sites have been placed in the moderate complexity category. The knowledge, training, interpretation, and judgment required for recovery of an organism from a culture performed on selective media is significantly less than from a culture that may require the analyst to distinguish multiple organisms and determine the presence of pathogens, normal flora, and/or contamination.

Comment: One commenter stated that grading some bacterial direct antigen tests that required transfer to broth as moderate complexity tests was inconsistent with the statement that cultures are high complexity tests.

Response: Each individual test was scored for complexity and some tests requiring transfer to broth were categorized as moderate complexity. These tests were usually kits that required that the sample swab be placed directly into broth and incubated; the antigen test was then performed directly from the broth. The procedure is not the same as a routine culture which may include the interpretation and selection of colonies before subculturing or conducting the appropriate biochemical analyses.

Comment: Some commenters requested that gram stains from culture be placed in the moderate complexity category.

Response: Gram stains from culture are not individually graded tests but are part of the test defined as culture. The only gram stains that have been categorized as "stand alone" procedures are those performed on direct specimens.

Comment: A few commenters recommended that the direct acid-fast smear be categorized as a high complexity test.

Response: The acid-fast smear from a concentrated specimen was graded as a high complexity test. However, the *direct* acid-fast smear was graded as a moderate complexity test. The training required to place the specimen on a slide, stain the slide, and recognize the organism is not as extensive as the procedure that requires concentration of the specimen prior to testing.

Comment: A number of commenters recommended that the darkfield examination for *Treponema pallidum* be placed in the high complexity category.

Response: The darkfield examination for *Treponema pallidum* was scored as a moderate complexity test. Although the darkfield microscope requires somewhat more manipulation than the brightfield-light microscope, the analyst could be taught to operate the darkfield microscope without extensive training. Additionally, the identification of a single organism, *Treponema pallidum,* does not require the extensive training, interpretation, and judgment needed to distinguish multiple organisms.

Comment: Some commenters requested that microscopic examinations such as the gram stain, darkfield examination, pinworm preparations, potassium hydroxide preparation (KOH), Tzanck smear, and the wet preparations for bacteria, parasites, or fungi be placed in the waived category because they employ methodologies that are so simple and accurate as to render the likelihood of erroneous results negligible or pose no reasonable risk of harm to the patient if the test is performed incorrectly. A few commenters recommended that any microscopic examinations performed in a physician's office should be placed in the waived category so as not to impede the practice of medicine in a physician's office. One commenter requested that some microscopic examinations be placed in the waived category because of the limited quality control or proficiency testing materials available. A number of other commenters recommended that all microscopic examinations including, but not limited to, the KOH preparation, pinworm preparation, and wet preparations be placed in the high complexity category due to the level of training required of the analyst.

Response: The test categorization process placed most of these procedures in the moderate complexity category. The microscopic evaluations of KOH preparations, pinworm preparations and wet mounts do require a moderate degree of interpretation and judgment and some basic knowledge to recognize specific organisms, parasites, fungi, or cellular elements. Darkfield examinations require experience and training in the use of a specific type of microscope and the ability to distinguish specific patterns of motility specific for the organisms under investigation. The Tzanck smear and the gram stain require the use of stains to classify the morphological characteristics of organisms or cellular elements, and a commensurate level of knowledge and training is required to recognize these stained characteristics and to properly identify the organism or distinguish and enumerate the cell types present. Although it was concluded that these tests did not meet the criteria for waiver, it was recognized that some of these procedures are uniquely different from other types of laboratory testing. For that reason, and in response to comments, a new subcategory of testing called "Physician-Performed Microscopy" that is not subject to routine, biennial inspections has been established. This new subcategory is described in HSQ–202–FC which was published in the **Federal Register** on January 19, 1993 (58 FR 5215). The following six procedures are included in this new category: (1) Wet mounts including preparations of vaginal, cervical or skin specimens; (2) all potassium hydroxide (KOH)

preparations; (3) pinworm examinations; (4) fern test; (5) post-coital direct qualitative examinations of vaginal or cervical mucous; (6) urine sediment examinations.

Comment: A few manufacturers requested that their instruments or panels used in identification and susceptibility testing be placed in the moderate complexity category. One manufacturer stated that its system obviates the need to do any microscopic analysis or subculturing since all biochemical analyses for identification and susceptibility are done by the instrument.

Response: These instruments and panels are considered to be part of the entire test defined as culture. Although the system itself may perform all the biochemical analyses for identification and susceptibility testing, the analyst must possess extensive knowledge, training/experience, and interpretation/judgment to determine the presence of a pathogen for testing; ensure that a pure isolate is obtained; perform microscopic examinations to determine the appropriate panel/card to be used for identification and/or susceptibility testing; and troubleshoot problems (e.g., errors due to mixed cultures).

Comment: One organization recommended that all procedures involving the identification of intestinal parasites be graded as high complexity tests.

Response: While most procedures for the identification of intestinal parasites were graded as high complexity, some procedures (e.g., some visual direct antigens and examination of a wet mount for the presence or absence of a parasite) were graded as moderate complexity tests. Those visual direct antigen tests categorized as moderate complexity tests require significantly less knowledge, training/experience, and interpretation/judgment than those categorized as high complexity tests. The examination of wet mount preparations for only the presence or absence of parasites requires less interpretation and judgment than that which is needed to detect and identify the various stages of blood, tissue, and intestinal parasites.

Comment: One laboratory professional organization recommended that all direct antigen testing performed in the area of Microbiology be placed in the high complexity category.

Response: When evaluated using the seven criteria for complexity, some of the direct antigen tests, particularly those performed on direct specimens, scored as moderate complexity. These procedures contain a few easily performed steps and require less knowledge, training/experience, and interpretation/judgment than those procedures that scored as high complexity.

Comment: One manufacturer stated that a microbiology test kit that was categorized as moderate complexity for direct antigen detection from a direct specimen should also be moderate complexity when performed from culture.

Response: Many test systems scored as moderate complexity tests when performed from a direct specimen and as high complexity tests when performed from culture. Performing a culture increases the complexity of the procedure and requires extensive knowledge, training/experience, and interpretation/judgment. When a culture is necessary for the appropriate execution of a procedure, then the culture becomes a part of the total testing process for that test system, assay, or examination and, therefore, that procedure scored as a high complexity test.

Comment: A manufacturer requested that the CLOtest for *Helicobacter pylori* be placed in the waived category.

Response: The CLOtest does not meet the criteria established for a waived procedure. Because this test requires the analyst to obtain a tissue sample, incubate the tissue in an agar gel, examine the gel at timed intervals, and discern the degree of color change in the gel in comparison to positive reactions caused by other bacterial organisms, the CLOtest scored as a moderate complexity test.

Comments on Immunology Tests

Comment: A commenter requested that automated nephelometric analyzers performing immunoglobulins be categorized as high complexity because of the prozone effect.

Response: The possibility of prozone effect, common on earlier automated nephelometers, was considered when grading automated nephelometric test systems. While some instruments do require direct intervention by the analyst to resolve problems created by the prozone effect and were, therefore, categorized as high complexity, most test systems were categorized as moderate complexity because they are completely automated and require no operator intervention.

Comment: A few manufacturers of semi-automated immunoassay instruments that were categorized as high complexity requested that these instruments be recategorized as moderate complexity and placed in the "manual or semi-automated procedures with limited steps and limited sample or reagent preparation" category.

Response: Many of the semi-automated immunoassay instruments consist of three main components which operate independently of each other. The three components are a sample preparation module, which usually includes an automated pipetting mechanism; a sample processing module that might include automated addition of reagents and some automation of washing steps; and a result processing module that usually reads and calculates the results. The analyst is often required to physically transfer sample trays from the sample preparation module to a sample processor and then onto other test processing modules. The analyst is also often required to set incubation temperatures or adhere to strict timing requirements for semi-automated steps. In summary, it was concluded that a significant amount of operator intervention is necessary to complete the entire testing process for these systems; therefore, most received total scores that placed them into the high complexity category.

Comment: A few commenters requested the analyte "febrile agglutinins" be listed by defining each agglutinin as an individual analyte.

Response: While the analyte "febrile agglutinins" consists of several different agglutinin tests, all procedures are identical and the phrase "febrile agglutinins" can be considered to encompass all or any one of the agglutinins. Additionally, "febrile agglutinins" is a recognized laboratory term defining a battery or profile of several different tests.

Comments: Several commenters requested that the IgE and Allergen-Specific IgE procedures that were categorized as high complexity be categorized as moderate complexity.

Response: The total and allergen specific IgE procedures are immunoassays that utilize various methodologies such as fluorescence, spectrophotometry, chemiluminescence, and radioimmunoassay. Many of these procedures are difficult to perform and not easily controlled. Some of the procedures produce results that are difficult to reproduce and are thus prone to error. Many procedures contain reagents that require special handling, such as radioisotopes, or utilize reagents that are light sensitive or labile and have to be used within a very limited amount of time. Many of the procedures include critical washing steps, and often require the construction of a standard curve. When each IgE test system, assay, and examination was evaluated, the systems

categorized as high complexity generally were those that contain more manual steps, require more knowledge and training, and have more reagent preparation and handling requirements. Those categorized as moderate complexity generally were simple kit procedures requiring limited analytical skills.

Comments on Immunohematology Tests

Comment: A commenter requested that the direct Coombs test be recategorized from moderate to high complexity.

Response: The direct antiglobulin test (direct Coombs test) is categorized as moderate complexity because the test requires only limited specific knowledge and training. The procedural steps are easily performed, and the reagents are stable and ready to use. Some, but not extensive, judgment and interpretation are required to arrive at a final result.

Comment: Several commenters requested that ABO Group and ABO Group confirmation tests be categorized as high complexity.

Response: Like the direct Coombs test, the ABO Group and ABO Group Confirmation tests require specific, but limited, knowledge and training. The few procedural steps are easily performed, and the reagents are stable and require no preparation. The judgment and decision making skills required to interpret the results are not extensive. Since test categorization was based on the complexity of the procedure, these tests scored as moderate complexity.

Comment: A commenter requested that the analyte, "unexpected antibody identification," be recategorized from high complexity to moderate complexity.

Response: Unexpected red blood cell antibody identification was categorized as high complexity because the procedure requires substantial knowledge of antigen-antibody reactions, blood group antigens, the causes and serological reactivity of blood group alloantibodies and autoantibodies, and a general knowledge of statistical probability values. This knowledge is required to select appropriate reagents, test cells, and test procedures; perform the test procedure(s); and interpret results. Operational steps are subject to variations based on the type of RBC antibody to be identified (i.e. alloantibody, autoantibody), the temperatures and test phases at which antibody activity occurs, and/or the presence of multiple antibodies. Test procedures include, at a minimum, testing the serum sample with one or more RBC antibody identification panels and RBC antigen typing. A high level of interpretive skill and judgment is required to evaluate test results and determine the antibody(ies) present in the sample.

Comments on Hematology Tests

Comment: Many commenters felt that any manual white blood cell differential should be in high complexity.

Response: Manual white blood cell differentials were categorized according to the complexity of identifying the cellular elements present. Performing a manual differential of moderate complexity requires that the analyst have a general knowledge of cellular elements in normal peripheral blood. It also requires the analyst to identify common atypical or immature blood cells such as atypical lymphs, bands, and polychromatophilic erythrocytes and to evaluate common red blood cell morphology that can be correlated specifically with the RBC indices. A differential of moderate complexity further requires the analyst to recognize the presence of uncommon atypical or immature cells (e.g., precursor cells such as myelocytes, large or abnormal platelets or extensive abnormal RBC morphology) and to refer them to someone qualified to make the final interpretation and identification. The analyst performing the differential has a general responsibility to follow good and accepted practice to ensure quality in laboratory testing by inspecting red blood cell morphology, performing platelet and white blood cell estimates, and correlating these with the parameters of the complete blood count. Performing a high complexity differential requires a comprehensive knowledge of normal and abnormal/immature production in all cell lines. The analyst performing a high complexity differential is expected to possess extensive knowledge and experience and use a high level of judgment and interpretive skills to identify all distinctive morphological characteristics, both abnormal and immature, in all cell lines. Some examples of these uncommon atypical or immature cells are the blast cells, prolymphocytes, plasma cells, red blood cells with Howell-Jolly bodies, or other distinguishable inclusion bodies.

Comment: One laboratory professional organization stated that prothrombin time, activated partial thromboplastin time, and thrombin time should be high complexity tests, regardless of the methodology employed, because of the risk to the patient caused by an incorrect result.

Response: Performing a manual prothrombin time, activated partial thromboplastin time, or thrombin time are high complexity tests because these procedures contain multiple steps that include precise pipetting and timing. Additionally, the visual recognition of the end point or formation of a thrombin clot requires a high level of judgment and interpretation. The automation or semi-automation of these processes have, in general, been categorized as moderate complexity. These automated procedures do require some training and experience but it is not extensive. Since the operational steps are automated, they are not as complex as performing the tests manually. Some interpretation and judgment are required to determine the final result but this skill is not highly specialized and, for the most part, can be obtained through training.

Comment: Two commenters requested that the activated clotting time be waived at least for monitoring anticoagulant therapy in chronic renal dialysis facilities.

Response: An Activated Clotting Time (ACT) can be performed by many different methods. The complexity of the ACT tests was determined by applying the seven criteria to each test system, assay or examination. To perform most Activated Clotting Time (ACT) procedures, the analyst must be trained in sample preparation as well as in specific timing and temperature requirements. The analyst must also have knowledge of the role of heparin in relationship to hemostasis. Judgment is required to recognize the endpoint if the ACT is performed manually; or to recognize and resolve technical problems if the ACT is automated or semi-automated. In general, the automated procedures for ACT scored as moderate complexity tests while the manual tilt-tube ACT procedures scored as high complexity. Consideration of the testing site and/or the specific use of the test are different concepts than those utilized in the scoring process for test categorization by complexity.

Comment: One laboratory professional organization stated that the bleeding time test should be reclassified as high complexity due to the knowledge required prior to testing and the training and experience required for proper test performance. The commenter also stated that clinicians often use the bleeding time beyond its intended use and an incorrect result, along with inappropriate usage of the result, could result in grave clinical misinterpretation.

Response: We do agree that the bleeding time test is technique-dependent but we feel that the

performance of the test, although it requires thorough training, does not require extensive training. In addition, the analyst is not expected to possess a high level of experience or knowledge prior to performing the test. It is true that timing for the test must be exact, but operational steps are few. The analyst must use a moderate level of judgment to recognize the test endpoint or technical problems that may have occurred, and, as applicable, be able to correlate results with information on the patient's condition and/or medication. However, the judgment required is not extensive or specialized. Attempting to advise physicians in the correct use of the bleeding time test is beyond the scope of the test categorization process and the overall CLIA '88 regulation.

Comment: One laboratory professional organization stated that none of the rapid solubility tests should be considered as "stand-alone" tests for the presence of sickle hemoglobin since all of these tests must be followed by confirmatory tests to diagnose sickle cell disease. For this reason, the commenter felt that sickle cell screens were not complete test systems and should be removed from the list. The commenter suggested that the logic for this change is similar to that used in reevaluating the area of microbiology.

Response: The rapid solubility tests for Hemoglobin S are FDA approved and commercially available as screening tests for Hemoglobin S. These test systems, assays, and examinations cannot be compared to those procedures in microbiology which require multiple tests to generate a single reportable result (e.g., the biochemical testing results used in bacterial identification). The individual microbiology tests are not "stand alone" procedures but, in fact, require a combination of multiple tests to produce a final reportable result. This process is quite different from using the Hemoglobin S kits which, although considered screening kits, do not require additional tests to produce a reportable result. The distinction between screening and confirmatory tests and the appropriate use of tests is beyond the scope of test categorization.

Comment: One commenter also felt the categorization process was internally inconsistent since it categorized some procedures for Hemoglobin A2 as moderate complexity and other procedures as high complexity.

Response: Hemoglobin A2, as is the case with all analytes, was not graded for complexity by analyte but rather by the complexity of the test system, assay, or examination used to measure Hemoglobin A2. The possibility existed, and indeed occurred frequently, that one test system used to measure an analyte was classified as moderate complexity, and another completely separate test system used to measure the same analyte (in the example stated: Hemoglobin A2) was classified as high complexity. This variation in the classification of tests by complexity level is the natural result of evaluating each test system, assay, or examination individually by correctly applying the seven grading criteria to determine its complexity. The approach is not internally inconsistent.

Comments: A number of commenters stated that large hematology analyzers that perform complete blood counts, with or without differentials, should be high complexity. They felt that any analyzer that employs multiple principles or measures multiple analytes should be high complexity. They stated, in particular, that any automated system with a differential should be high complexity because the analyst must be able to interpret possible abnormalities. They also felt that any instrument that presents the analyst with a scattergram should be high complexity.

Response: Using the seven criteria established for categorization, automated hematology analyzers with or without differentials, in general, scored as moderate complexity. Although the large automated instruments used in hematology apply multiple principles in their operation, the instruments do not require extensive analyst intervention or highly specialized knowledge for operation. We do agree that some judgment is required to correlate results with other parameters and to recognize and resolve technical problems, but the level of skill required for this correlation is not highly specialized. Instruments that present the analyst with histograms or scattergrams are usually supplying additional information, and the interpretation of these histograms is not required to arrive at a final result since the instrument provides a direct readout for all analytes.

Comment: One commenter stated that the nasal smear for eosinophils and the fecal smear for leukocytes should be high complexity because performance of the tests requires training in anatomic pathology to recognize tumor cells and evaluate organisms. The commenter also felt that the decisions on the adequacy of the smear were analogous to evaluating a cervicovaginal PAP smear. This commenter also felt that we were inconsistent in scoring because the manual eosinophil count, which he said was virtually the same procedure as the nasal smear for eosinophils, is categorized as high complexity while the nasal smear is moderate complexity.

Response: The evaluation of nasal smears for eosinophils and fecal smears for leukocytes have been categorized as moderate complexity. Although the performance of these tests requires some knowledge of the morphology of stained eosinophils or leukocytes, that knowledge is limited and an analyst can be trained to recognize the morphologic characteristics of these cells. Additional training, although not extensive, is required in the use of the microscope and in the staining procedure. The operational steps in the procedures are few and not complex. There is minimal reagent preparation and equipment maintenance. While judgment is required to determine the acceptability of the stained smear, a comparison cannot be made with the evaluation of the cervicovaginal PAP smear. It is agreed that a moderate level of interpretive skill is required to identify the stained eosinophils or leukocytes in the smear and distinguish them from other elements or debris but, again, this is not extensive. Standard laboratory practice dictates that a nasal smear for eosinophils should be evaluated by the analyst for eosinophils *only* and, in general, produces a qualitative or semi-quantitative result. The same principle applies to the fecal smear for leukocytes. Physicians, who are qualified, may evaluate the smear for other purposes but this analysis is beyond the scope of the basic screen for eosinophils or leukocytes in a smear.

An evaluation of a nasal smear for eosinophils is not comparable to the manual eosinophil count. The nasal smear for eosinophils is an evaluation of stained cells and the analyst is expected to produce a limited semi-quantitative result such as the percentage of eosinophils per total white cells. The manual eosinophil count is a quantitative test in which the analyst produces an absolute count of the number of eosinophils per specified quantity of blood. The analyst must manually pipette the blood sample and diluent, load the counting chamber, and count the cells in defined areas of a counting chamber grid. Calculations are usually required to arrive at the final result. Therefore, while the nasal smear for eosinophils scored as a moderate complexity test, the manual eosinophil count scored as a high complexity test.

Comment: Some commenters stated that manual cell counts should be moderate, especially white blood cell counts, and expressed concern over the cost of replacing manual cell counts with an instrument.

Response: A manual cell count requires knowledge of the microscopic cellular characteristics of the cells being enumerated. The analyst must be trained to use a hemocytometer and light or phase microscope, dilute the specimen with unopettes or Thoma pipettes, recognize a specific cell type microscopically and calculate the quantitative cell count results. Judgment is required to distinguish cells from artifacts, or from other cellular elements. The analyst must recognize and resolve technical problems such as overfilling the chamber or drying of the sample on the hemocytometer. Interpretive skill is required to determine when a special dilution of the specimen is needed and to correlate the results of the count with the number and type of cells on the stained peripheral blood smear. All of these issues, when considered and scored for complexity, resulted in a high complexity categorization for manual cell counts.

Comment: Some commenters from laboratory professional organizations felt that all components of a complete blood count should be categorized as high complexity whether performed manually or with automated or semi-automated equipment.

Response: The categorization of a group of analytes, such as those included in a complete blood count, as either high or moderate complexity without regard for the methodology or the complexity of the procedure would be inconsistent with categorizing tests by complexity. Every test system, assay, or examination for each analyte was evaluated and scored for complexity. Some methods for performing assays on analytes included in a complete blood count scored as moderate complexity while other methods scored as high complexity.

Comment: We received a number of comments related to urine microscopic exams. Some commenters felt that microscopic exams of urine, when performed by a physician in his office, should be waived. Other commenters felt that microscopic analysis of urinary sediment should be high complexity because of the knowledge required to perform the test and the interpretation and judgment required to identify cellular elements.

Response: Performing microscopic examination of urinary sediment requires basic knowledge of the formed elements found in urine. The procedure also requires training or experience to prepare specimens, to identify and enumerate particulate elements, and to properly use the microscope. However, the level of knowledge or training and experience required is not highly specialized. The procedure contains limited operational steps; troubleshooting and maintenance are minimal, and reagent/material preparation is minimal. Judgment is required to identify urine elements and correlate the findings with the physical characteristics of the urine and to identify and resolve technical problems; however, this does not require a high level of judgment. For these reasons, the microscopic evaluation of urine sediments was categorized as moderate complexity. With regard to the comments that urine microscopic exams when performed by physicians should be waived, it was concluded that the level of complexity involved in this procedure is beyond that for a waived test. However, it was recognized that tests performed by a physician on his/her own patients immediate to the point of care is a type of laboratory testing that is distinctly different from other types of testing. A separate subcategory of laboratory testing called "Physician-Performed Microscopy" has been established and is described in HSQ–202–FC and published in the **Federal Register** on January 19, 1993 (58 FR 5215). Urine microscopic examination is included in this subcategory.

Comment: One commenter disagreed with the categorization of an automated system for evaluating urinary sediment microscopic elements as moderate complexity. The commenter felt that the addition of an automated instrument to the evaluation of urine sediment should make the procedure high complexity.

Response: Although the addition of an instrument to the evaluation of a urine sediment changes the procedure, it would not necessarily place the procedure in the high complexity category. All instruments were evaluated for complexity based on the unique characteristics of their procedural and operational steps. In this instance, it was concluded that the training required to operate the instrument is not extensive and does not require specialized knowledge. Reagent preparation and troubleshooting and maintenance are minimal. A certain level of judgment and interpretive skill is needed to recognize and resolve technical problems and edit the instrument's urine particulate classifications. However, these skills are not highly complex or extensive. When the instrument was scored and all criteria characteristics were considered, including the basic knowledge and judgment required for any urinary sediment evaluation, this automated procedure for the identification of squamous cells, white blood cells, and red blood cells scored as moderate complexity.

Comment: A few commenters stated that all semen analyses, including semen analysis for the presence or absence of sperm, should be high complexity. Other commenters stated that qualitative post-coital sperm analyses, including the inspection of cervical mucus, that are performed by a physician in his office should be waived.

Response: Semen analyses were categorized according to the complexity of the test systems, assays or examinations being performed. A qualitative semen analysis for the presence or absence of sperm and/or motility requires knowledge of the microscopic characteristics of sperm, judgment to determine specimen acceptability, and interpretive skills to distinguish sperm from debris and to determine the degree of motility. However, the level of knowledge and judgment needed for this qualitative presence or absence determination is not highly specialized. Training is required to use the microscope, but operational steps are few and troubleshooting is minimal. On the other hand, manual quantitative counts and sperm morphology evaluation, together or separately, are highly complex tests. This high complexity semen analysis requires specialized knowledge of the microscopic characteristics of sperm including morphology, maturation, and motility. The procedure requires extensive training and experience and a high level of interpretive skill. Additionally, we have included the moderately complex qualitative post coital direct examination of vaginal or cervical mucus as one of the tests in the newly created subcategory, "Physician-Performed Microscopy," as defined in HSQ–202–FC (58 FR 5215).

Comments on Chemistry Tests

Comment: A few commenters requested clarification on which pregnancy test procedures are waived.

Response: Only urine pregnancy tests that utilize visual color comparison to determine results are waived tests. All serum and whole blood pregnancy tests, and urine pregnancy tests by methods other than visual color comparison are non-waived procedures.

Comment: One commenter stated that there is no scientific reason to differentiate between the non-waived visual HCG procedures and the other visually interpreted qualitative urine HCG procedures.

Response: Most of the non-waived qualitative urine pregnancy test

procedures that determine results by visual comparison (interpretation) are slide card agglutination tests or precipitation tests. These procedures usually require the analyst to observe a slide card or tube for the presence or absence of agglutination. The ability to distinguish a weak pattern of agglutination from the absence of agglutination is essential for reliable test results and it was concluded that some training and interpretation or judgment are required for the analyst to properly perform these tests.

Comment: A commenter felt that the color comparison serum pregnancy test should be reclassified from moderate complexity to waived because it is an extension of a physical examination as performed by a physician.

Response: Serum color comparison pregnancy tests have been classified, in general, as moderate complexity tests. Where and by whom a test is performed does not impact on the complexity of the procedure.

Comment: A number of commenters objected to specific HDL procedures being classified as high complexity. The commenters felt that these procedures should be reclassified to moderate complexity because they are part of a lipid panel and that HDL should be the same complexity as the other components of the lipid panel. Some commenters objected to the placement of a few HDL procedures, that did not include the phase for precipitation of VLDL and LDL, in the moderate complexity category while other procedures that did include this pretreatment phase were placed in the high complexity category. Commenters felt that this pretreatment phase was not sufficiently complicated to warrant placing the procedure in high complexity. On the other hand, a combined comment from a few laboratory professional organizations stated that the HDL procedure had been correctly placed in high complexity based on the sample pretreatment procedure.

Response: During the categorization process, CDC scored most HDL procedures as high complexity. CDC felt that the HDL sample pretreatment phase, performed to remove VLDL and LDL prior to analysis, did make the analytic procedure for this analyte different than the analytic procedure for other analytes. The removal of VLDL and LDL from the sample is a critical phase in the procedure and involves additional steps that require proper training, experience, and judgment to distinguish a supernatant that is acceptable for testing. The accuracy of the test result depends primarily on the complete removal of VLDL and LDL from the sample. A cloudy supernatant, indicating incomplete removal of VLDL and LDL, frequently occurs and the first decision an analyst might make, and the one often recommended by a manufacturer, is to simply repeat the precipitation procedure. Quite often, however, the decision-making process must continue beyond this first phase. If a cloudy precipitant remains after repeating the sample preparation phase, the analyst may be required to double the amount of precipitating reagent added to the original sample or to use ultracentrifugation techniques to arrive at an acceptable supernatant. The "bottom line" decision that must be made by the analyst is not to continue the assay on a cloudy precipitant. When the complexity of this pretreatment phase was added to the complexity of the underlying procedure for the instrument, the total score usually placed the procedure in the high complexity category. Because the sample pretreatment step is so crucial to the HDL procedure, higher scores seemed appropriate for the criterions "Training and Experience", "Characteristics of Operational Steps", and "Interpretation and Judgment".

Due to the substantive comments received from the public, regarding HDL complexity categorization, this issue was presented to the Clinical Laboratory Improvement Advisory Committee (CLIAC), for advice and recommendation. CLIAC did not have a consensus opinion on the correct categorization for these tests, therefore, this issue was reviewed by the CLIAC subcommittee on test categorization. Upon review, the subcommittee felt that the scores for two criteria, "Training and Experience" and "Interpretation and Judgment", were too high for some of the automated HDL procedures. Therefore, it was recommended by the subcommittee, and accepted by the full CLIAC, that CDC reevaluate automated HDL procedures and adjust the assigned score in those criteria from "3" to "2" for certain HDL procedures. As a result of these score adjustments, the following procedures have been recategorized from high complexity to moderate complexity: Ames Seralyzer III, Bio-Chem Laboratory Systems ATAC 6000, Du Pont Analyst, EM Diagnostic Systems Easy Plus (automated sample pretreatment), EM Diagnostic System Easy ST (automated sample pretreatment), Electronucleonics Gem-Profiler, Electronucleonics Gemini, Electronucleonics Gemstar, Electronucleonics Gemstar II, Kodak Ektachem 250, Kodak Ektachem 400, Kodak Ektachem 500, Kodak Ektachem 700, Kodak Ektachem 700 P, Kodak Ektachem 700 XR, and the Kodak Ektachem DT 60.

Comment: A few commenters objected to specific Iron Binding Capacity (IBC) procedures being classified as high complexity. The commenters felt that these procedures should be reclassified to moderate complexity.

Response: The IBC procedure that is categorized as high includes a sample preparation process in which all iron binding sites on transferrin in the sample are saturated with iron. This process is followed by the removal of excess iron by adsorption. The supernatant, left behind after the adsorption of excess iron, is then assayed for iron and is termed the iron binding capacity. This sample pretreatment increases the complexity of the procedural steps and requires training and judgment to determine the requirements for complete saturation, and to correctly interpret the results of the IBC in relation to previous iron results. This sample pretreatment step must be performed manually by the analyst and is a critical part of the IBC procedure. When all of these issue were considered in the scoring process, most IBC procedures scored as high complexity.

Comment: Many commenters felt that multi-channel chemistry analyzers should be reclassified from moderate to high complexity.

Response: In general, the analytic processes of most multi-channel and multi-analyte chemistry analyzers are fully automated and require no operator intervention. The extent of pre-analytic and post-analytic intervention is usually restricted to limited reagent preparation, interaction with computerized components to initiate the analytic process, and limited interpretation of results. Troubleshooting and maintenance generally require a moderate level of technical skill and decision-making as the analyst often follows the manufacturer's flow charts and procedures. The level of complexity for all seven criteria was thoroughly evaluated for every instrument, and many fully automated chemistry analyzers, whether multi-channel or multi-analyte, were graded as moderate complexity.

Comment: A laboratory professional organization questioned why RIA procedures are high complexity while EIA procedures are moderate complexity. They felt both procedures require the same amount of analytical skill and judgment.

Response: Since each test system, assay, or examination was evaluated independently for its complexity, some EIA procedures were graded as moderate complexity while others were graded as high complexity. For example, a solid phase EIA agglutination procedure does not require the same level of training or interpretation as an EIA procedure by microwell chamber method. All RIA test systems, assays, or examinations were also individually evaluated for complexity, but they did not have as much variety in procedures as did the EIA test systems, assays, and examinations. Also, the proper handling and disposal of the radioactive materials that are part of the RIA procedures require additional training and adds to the complexity of the procedure.

Comment: A physician, who is currently using a manual EIA procedure for Prostatic Specific Antigen (PSA), felt that manual EIA procedures for PSA should be reclassified from high to moderate complexity. He stated that his staff was able to perform these procedures without problems and a high complexity categorization would limit his practice.

Response: The manual EIA tests for PSA are complex manual procedures with multiple steps in the analytic process. The procedures require extensive analyst training for proper performance and coordination of these steps, which include exact pipetting, timed incubation and efficient bead washing. Extensive judgment and interpretive skill are required to evaluate results, resolve technical problems and determine the need for repeat testing.

Laboratories in physician's offices can continue to perform these procedures provided they comply with CLIA regulations for laboratories performing high complexity tests.

Corrections to Previous Publications of Test Categorizations

The following corrections to the list of test systems, assays and examinations published in the **Federal Register** on February 28, July 8, August 28, and September 2, 1992 were made based on supplemental information provided by the commenters during the comment period, new information submitted by manufacturers or as a result of correction of data entry errors.

Recategorizations

Technicon H1 and H6000

The Technicon H1 and H6000 for hemoglobin, hematocrit, white blood cell count, red blood cell count, platelet count and white blood cell differential was recategorized from high to moderate complexity. This change in complexity is a result of information supplied by the manufacturer of the Technicon H1 and H6000 indicating that, for normal operation, the analyst is not required to interpret a histogram to arrive at a final test result. The instruments have a direct read-out systems for all analytes.

Direct Antiglobulin Tube Tests

Direct Antiglobulin tube tests in immunohematology were recategorized from high to moderate complexity. This recategorization was due to the correction of a data entry error and not due to a decision to recategorize based on supplemental information.

Wampole Streptonase B and Immuno-Mycologics YA-Crypto

Wampole Streptonase B and Immuno-Mycologics YA-Crypto have been recategorized from high to moderate complexity. After reevaluation, it was determined that while some training and experience are required in pipetting a small volume to accurately perform these test procedures, the procedural steps are not complicated, and the judgment and interpretation required to determine the results and resolve technical problems is not extensive. Therefore, these test systems were rescored and, as a result, were recategorized as moderate complexity tests.

All Manual Isohemagglutinin Titrations, Untreated Serum and Dade Lectin-H - RBC, Qualitative

All Manual Isohemagglutinin Titrations, untreated serum and Dade Lectin-H - RBC, qualitative have been recategorized from high to moderate complexity. After consultation with laboratory professionals and reevaluation of the test procedures, it was determined that the level of skill required to perform these procedures is not as specialized or technically complex as was originally determined. After rescoring, these procedures were recategorized as moderate complexity tests.

Diagnostica Stago ST4 for Fibrinogen

Diagnostica Stago ST4 for fibrinogen has been recategorized from high to moderate complexity. This change in complexity is due to the correction of a data entry error. It is not based on a decision to recategorize the test procedure.

All Manual Reticulocyte Count Test Systems and Procedures

All Manual Reticulocyte Count Test Systems and Procedures have been recategorized from high to moderate complexity. While the procedure for the manual reticulocyte count requires microscopic examination to distinguish and enumerate the stained reticulocyte, it was determined upon reevaluation that the level of knowledge, judgement, and interpretation is no more extensive than that needed to perform a "normal" differential. Therefore, for consistency in the test categorization process, the scores for these criterion were adjusted, which resulted in an overall lowering of the total score and subsequent recategorization from high to moderate complexity.

Seradyn Glycotrak for Glycosylated Hemoglobin

Seradyn Glycotrak for Glycosylated Hemoglobin has been recategorized from high to moderate complexity. This test system was originally graded as a high complexity procedure because it was perceived as requiring extensive knowledge, training and experience to perform a series of complex steps. However, after the review of new information submitted to the CDC by Seradyn, and reevaluation of the procedure by laboratory professionals, it was determined that while knowledge, training, and experience are required, they are not as extensive as first considered, and that the steps and complexity of the procedure itself are limited in scope. After rescoring, this test system was recategorized as moderate complexity.

Ciba Corning 170 and the Ciba Corning 178 Analyzers

The Ciba Corning 170 and the Ciba Corning 178 analyzers for blood gas with pH have been recategorized from high to moderate complexity. This change in complexity is the result of information supplied by the manufacturer of the Ciba Corning analyzers indicating that, when using these models, the analyst is not required to manually flush lines, calibrate parameters or introduce the sample in a manner that is any more complex than routine sample introduction into any blood gas instrument.

Sysmex R–1000

The Sysmex R–1000, an automated instrument for reticulocyte counts has been recategorized from high to moderate complexity. Information supplied by the manufacturer indicated that, for normal operation, the analyst is not required to interpret a histogram to arrive at a final result. The instrument has a direct read-out for total reticulocyte count.

Becton Dickinson BBL-Tube Test, the Difco Bacto-Tube Test and the Gamma Biologicals Tube Test for febrile agglutinins:

The Becton Dickinson BBL-Tube Test, the Difco Bacto-Tube Test and the Gamma Biologicals Tube Test for febrile agglutinins have all been recategorized from high to moderate complexity. After consultation with laboratory professionals and reevaluation of information from manufacturers, it was determined that the level of skill required to perform these procedures was not as specialized nor were the procedures as complex as originally determined.

The Gen-Probe Pace2 test System for *Neisseria Gonorrhoeae*

The Gen-Probe Pace2 test system for *Neisseria gonorrhoeae* in bacteriology has been recategorized from moderate to high complexity. Supplemental information on this test system was received from laboratory professionals with experience performing the procedure and was verified through product inserts submitted by the manufacturer. Based on this information, the procedure was determined to be technically complex with multiple steps that include extensive sample and reagent preparation, precise temperature control and exact timing requirements. Additionally, the complexity of the test requires a higher level of training and experience to perform the procedure than was originally indicated.

The Vitek Systems Vidas for Respiratory Syncytial Virus and Chlamydia

The Vitek Systems Vidas for respiratory syncytial virus and Chlamydia has been recategorized from moderate to high complexity. Supplemental information on this test system was received from laboratory professionals with experience performing the procedure and was verified through product inserts submitted by the manufacturer. Based on this information, the procedure for preparation of the sample before placing on the Vidas instrument was determined to be technically complex with multiple steps that included volumetric addition of reagents, precise temperature control, exact timing requirements and mechanical vortexing. The complexity of the procedure for sample preparation also requires a higher level of training and experience than was originally indicated.

Deletions

Based on supplemental information supplied by manufacturers, the following test system/analyte entries have been deleted from the list. The original entries were in error as the analytes listed below are not available on the test systems indicated:

Test System: Du Pont ACA
Analyte: Cyclosporin
Test System: Du Pont ACA IV
Analyte: Cyclosporin, Sodium, Potassium
Test System: Du Pont ACA V
Analyte: Cyclosporin
Test System: Bio-Chem Laboratory Systems ATAC 6000
Analyte: Fructosamine, Lactate Dehydrogenase Heart Fraction (LDH–1), Phenobarbital, Salicylate
Test System: Mallinckrodt Gem 6 Plus
Analyte: Sodium
Test System: Abbott IMX
Analyte: Testosterone
Test System: Beckman Synchron CX 3
Analyte: Bilirubin, Direct, Bilirubin, Total, Creatine Kinase, Protein, Total
Test System: Becton Dickinson QBC II
Analyte: Hemoglobin
Test System: Abbott TDX Flx
Analyte: HDL Cholesterol

The following test system/analyte entries have been deleted because they are not FDA approved for the test system indicated or are available for research purposes only:

Test System: Labsystems *Bordetella pertussis* IgG EIA Kit
Analyte: Bordetella pertussis Antibodies
Test System: Labsystems CMV IgG EIA Kit
Analyte: Cytomegalovirus Antibodies
Test System: Labsystems CMV IgM EIA Kit
Analyte: Cytomegalovirus Antibodies
Test System: Labsystems Rubella IgM EIA Kit
Analyte: Rubella Antibodies
Test System: Labsystems Tetanus Toxoid EIA Test Kit
Analyte: Tetanus toxoid Antibodies
Test System: Labsystems Toxoplasma gondii IgG EIA Kit
Analyte: Toxoplasma gondii Antibodies
Test System: Kent Radial Immunodiffusion Test
Analyte: Complement C2
Test System: Sorin Biomedica ETI-HA-IgMK
Analyte: Hepatitis A Virus Antibodies
Test System: Incstar Fluoro-Kit
Analyte: Anti-Brush Border Antibodies, Anti-Canalicular Antibodies, Anti-Reticulin Antibodies, Anti-Ribosomal Antibodies
Test System: Sysmex CA–5000
Analyte: Prothrombin Time (PT), Activated Partial Thromboplastin Time (APTT)
Test System: Abbctt IMX
Analyte: Folate (Folic Acid), Hepatitis B Surface Antigen (HBsAg), Glycosylated Hemoglobin (Hgb A1C), Hepatitis B Core Antibody
Test System: Bio-Chem Laboratory Systems ATAC 6000
Analyte: Carcinoembryonic Antigen (CEA), Prostatic Acid Phosphatase (PAP), Prostatic Specific Antigen (PSA)
Test System: Diamedix T-Uptake Microassay
Analyte: Triiodothyronine Uptake (T3U) (TU)
Test System: Diamedix Thyroxine (T4) Microassay
Analyte: Thyroxine (T4)
Test System: Biolog MicroStation System
Analyte: Aerobic & Anaerobic Organism-unlimited sources
Test System: Diagnostic Products Corp. PathoDx Strep B
Analyte: Streptococcus, group B
Test System: Instrumentation Laboratory IL Monarch Plus
Analyte: Alpha-1–Antitrypsin

The following test system with its associated analytes has been deleted because it is not FDA approved for market in the United States:

Test System: Du Pont ACA SX
Analyte: Antithrombin III (ATIII), Fibrin Split Products (Fibrin Degradation), Fibrinogen, Heparin. Plasminogen

The following analyte/test systems have been deleted because the analyte as listed is not reported as a "stand alone" analyte for that system:

Analyte: pH
Test System: AVL 987–S, Beckman LABLYTE 820, Ciba Corning 634, Coulter FLEXLYTE

Note: On the above systems, the relevant analyte is ionized calcium and the pH is measured for purposes of calculation only.

Analyte: Heparin
Test System: International Technidyne Factor VI, International Technidyne Hemochron 400, International Technidyne Hemochron 401, International Technidyne Hemochron 800, International Technidyne Hemochron 801

Note: On the above systems, the relevant analytes are heparin dose response (HDR) and heparin/protamine titration (HPT).

The following analyte/test systems have been deleted because these procedures do not meet the applicability provisions of the CLIA law:

Analyte: Eye Cornea Integrity
Test System: Slit Lamp Biomicroscopy Specular Microscopy

The following test system/analytes were incorrectly listed as moderate complexity. They have been deleted from the test list and placed in the waived category:

Test System: Kodak SureCell hCG
Analyte: HCG, Urine, Qualitative
Test System: NMS Pharmaceuticals COT Ovulation Test
Analyte: Luteinizing Hormone (LH)

The following are corrections to manufacturer's names and products:

From: Sequoia Turner Clearview HCG
To: Wampole Clearview HCG
From: LEO Diagnostics Hemocue
To: HemoCue Hemoglobin System
From: Medical Technology Corp. d-Chem
To: Photest Diagnostics d-Chem (and) Access Medical Systems d-Chem

From: Ciba Corning Flame Photometer
To: Ciba Corning 480 (and) Ciba Corning 654
From: Advanced Instruments Osmometer
To: Advanced Instruments Wide Range Osmometer 3W2
From: Wescor Vapor Pressure Osmometer
To: Wescor 5500 Vapor Pressure Osmometer (and) Wescor 5500XR Vapor Pressure Osmometer
From: 3M * * *
To: BioWhittaker 3M * * *
From: Whittaker Bioproducts * * *
To: BioWhittaker * * *
From: Virotech ELISA Antibody Test
To: Bio-Medical Virotech ELISA Antibody Test
From: Diamedix Microassay Test Set
To: Diamedix * * * (specific kit name)
From: Dupont * * *
To: Du Pont * * *
From: General Biometrics ImmunoDot Preconception Screening Panel
To: General Biometrics ImmunoDot TORCH Test
From: Incstar Clin-ELISA Test System
To: Incstar Clin-ELISA * * * (specific kit name)
From: Medix Biotech EIA Test Kit
To: Medix Biotech Visual hCG-M Pregnancy Test
From: Olympus PK1700 Automated Pretransfusion Blood Test System
To: Olympus PK7100 Automated Pretransfusion Blood Test System
From: Ramco EIA Test Kit
To: Ramco Spectro Ferritin
From: Sanofi/Kallestad QH 300
To: Sanofi/Kallestad QM 300
From: Seradyn Manual Urea (BUN) Procedure (and) Seradyn Manual Glucose Procedure (and) Seradyn Manual Uric Acid Procedure
To: Seradyn Manual (spectrophoto/colorimetric) Determination
From: Sigma EIA Test Kit
To: Sigma SIA * * * (specific kit name)
From: Syva Emit Qst Acetaminophen Assay
To: Syva Qstat/Qst System

For the purpose of clarification, the qualifiers attached to the following test systems have been changed:

From: Haemoscope Thromboelastograph (qualitative procedure)
To: Haemoscope Thromboelastograph (visual result)
From: Haemoscope Thromboelastograph (quantitative procedure)
To: Haemoscope Thromboelastograph (calculated result)
From: Logos elvi 816 BI Clot (qualitative procedure)
To: Logos elvi 816 BI Clot (visual result)
From: Logos elvi 816 BI Clot (quantitative procedure)
To: Logos elvi 816 BI Clot (calculated result)
From: Sienco SONOCLOT Coagulation Analyzer (qualitative procedure)
To: Sienco SONOCLOT Coagulation Analyzer (visual result)
From: Sienco SONOCLOT Coagulation Analyzer (quantitative procedure)
To: Sienco SONOCLOT Coagulation Analyzer (calculated result)
From: Sienco SONOCLOT II Surgical Analyzer (qualitative procedure)
To: Sienco SONOCLOT II Surgical Analyzer (visual result)
From: Sienco SONOCLOT II Surgical Analyzer (quantitative procedure)
To: Sienco SONOCLOT II Surgical Analyzer (calculated result)

Additional minor editorial and spelling corrections have been made to the compiled test list included with this Notice.

Dated: July 15, 1993.

Philip R. Lee,

Assistant Secretary for Health.

List of Test Systems, Assays and Examinations Categorized by Complexity

The test categorization scoring scheme was based on an assessment of the complexity of the operation of the test procedure and not on an evaluation of data documenting the procedure's performance over time. Therefore, the categorization of a test system, assay or examination as moderate or high complexity should not be interpreted as an indication of the acceptability or unacceptability of the accuracy, precision or overall performance of the procedure.

List of Previously Unpublished Categorizations

This list of previously unpublished categorizations is subject to a 30 day comment period. These test systems, assays and examinations are also included in the compiled list at the end of this Notice.

Complexity: Moderate

Speciality/Subspeciality: Bacteriology

Analyte: Aerobic Organisms From Urine Specimens Only

Test System, Assay, Examination

Solar Biologicals SOLAR-CULT (colony count only)
Troy Biologicals Bacti-Bio General Plate (colony count only)

Analyte: Aerobic/Anaerobic Organisms—Endocervical

Test System, Assay, Examination

All Gram Stain Procedures—Endocervical only

Analyte: Gardnerella Vaginalis

Test System, Assay, Examination

MicroProbe Affirm VP Microbial Identification Test Kit

Analyte: Helicobacter Pylori

Test System, Assay, Examination

Delta West CLO test

Analyte: N. Gonorrhoeae (From Urogenital or Rectal Only)

Test System, Assay, Examination

All Presumpt. ID Using Select. Media, Oxidase, & Gm Stain

Analyte: Neisseria Meningitidis, Group A

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen)

Analyte: Neisseria Meningitidis, Group C

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen)

Analyte: Neisseria Meningitidis, Group W135

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen)

Analyte: Neisseria Meningitidis, Group Y

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen)

Analyte: Streptococcus, Group A

Test System, Assay, Examination

Abbott TestPack Plus Strep A (direct antigen/visual)

Analyte: Streptococcus, Group A (From Throat Only)

Test System, Assay, Examination

All Presumpt. ID w/Selective Media, Hemolysis & Bacitracin

Analyte: Streptococcus, Group B

Test System, Assay, Examination

Pacific Biotech Cards O.S. Strep B (direct antigen/visual)

Speciality/Subspeciality: General Chemistry

Analyte: 5'Nucleotidase

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Ciba Corning 550 Express
Coulter Dacos
EM Diagnostic Systems EPOS
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Acetoacetate

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Acetylcholine/Choline

Test System, Assay, Examination

Olympus Reply/AU560

Analyte: Acid Phosphatase

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Technicon AXON
Technicon RA 2000
Technicon RA XT

Analyte: Alanine Aminotransferase (ALT) [SGPT]

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560

Analyte: Albumin

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560

Analyte: Aldolase

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Roche Cobas FARA II

Analyte: Alkaline Phosphatase (ALP)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Alpha-2-HS-Glycoprotein

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Alpha-Hydroxybutyrate Dehydrogenase (HBDH)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 747
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas FARA II
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Ammonia, Plasma/Serum

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 5
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 747
Ciba Corning 570 Alliance
Coulter Dacos
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Technicon AXON
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Amylase

Test System, Assay, Examination

Abbott Spectrum
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Angiotensin Converting Enzyme (ACE)

Test System, Assay, Examination

Abbott Spectrum
Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Apolipoprotein A1

Test System, Assay, Examination

Abbott Spectrum
Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Apolipoprotein B

Test System, Assay, Examination

Abbott Spectrum
Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Aspartate Aminotransferase (AST) (SGOT)

Test System, Asssy, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio

Analyte: Beta-Hydroxybutyrate

Test System, Assay, Examination

Abbott Spectrum
Abbott VP

Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 747
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Technicon RA 2000
Technicon RA XT

Analyte: Bilirubin, Direct

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Bilirubin, Neonatal

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Roche Cobas FARA II

Analyte: Bilirubin, Total

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Blood Gases with pH

Test System, Assay, Examination

Radiometer ABL 50

Analyte: C-Reactive Protein (CRP)

Test System Assay, Examination

Roche Cobas Bio

Analyte: Calcium, Ionized

Test System, Assay, Examination

Ciba Corning 288

Analyte: Calcium, Total

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Carbon Dioxide, Total (CO2)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Technicon Assist

Analyte: Carboxyhemoglobin

Test System, Assay, Examination

Instrumentation Laboratory IL 282

Analyte: Cerebrospinal Fluid Protein (CSF)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911

Analyte: Chloride

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Ciba Corning 288
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Technicon Assist

Analyte: Cholesterol

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Chematics CHEMCARD Cholesterol Test (wheel)
Chematics CHEMCARD Cholesterol Test (window)
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Cholinesterase

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 911
Coulter Dacos
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Electronucleonics Gemstar
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Cholyglycine (Bile Acids)

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Cortisol

Test System, Assay, Examination

Baxter Stratus IIntellect
Serono Diagnostics SR 1

Analyte: Creatine Kinase (CK)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Creatine Kinase MB Fraction (CK-MB)

Test System, Assay, Examination

Abbott Spectrum
Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 911
Du Pont ACA III with aca plus Immunoassay System
Du Pont ACA IV with aca plus Immunoassay System
Du Pont ACA V with aca plus Immunoassay System
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5131
Olympus Demand
Olympus Reply
Olympus Reply/AU560
PB Diagnostics Systems OPUS
Roche Cobas Bio
Technicon AXON
Technicon Assist

Analyte: Creatinine

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Estradiol

Test System, Assay, Examination

Serono Diagnostics SR 1

Analyte: Ferritin

Test System, Assay, Examination

Baxter Stratus IIntellect
Roche Cobas Mira
Roche Cobas Mira S
Serono Diagnostics SR 1

Analyte: Folate (Folic acid)

Test System, Assay, Examination

Baxter Stratus
Baxter Stratus II
Baxter Stratus IIntellect

Analyte: Follicle Stimulating Hormone (FSH)

Test System, Assay, Examination

Baxter Stratus IIntellect
Serono Diagnostics SR 1

Analyte: Fructosamine

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Technicon RA 1000
Technicon RA XT

Analyte: Gamma Glutamyl Transferase (GGT)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Gastric Occult Blood With pH

Test System, Assay, Examination

SmithKline Gastroccult

Analyte: Glucose

Test System, Assay, Examination

APEC Glucose Analyzer
Ames Glucometer ENCORE QA Blood Glucose Meter
Ames Glucometer QA Blood Glucose Meter
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Glucose-6-Phosphate Dehydrogenase (G–6–PDH)

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Bio-Chem Laboratory Systems ATAC 2000/2100
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Glycosylated Hemoglobin (Hgb A1C)

Test System, Assay, Examination

Ciba Corning Model 765 Glycomat
Drew Scientific Glycomat Haemoglobin Analyzer

Analyte: HCG, Serum, Qualitative

Test System, Assay, Examination

Chembio HCG-STAT-PAK
Hybritech ICON II HCG (urine/serum)
Medix Biotech HCG Visual Pregnancy (5/5) Test Kit
Syntron Bioresearch Microcheck HCG
Syntron Bioresearch Quikpac Pregnancy Test
Wampole One-Step HCG

Analyte: HCG, Serum, Quantitative

Test System, Assay, Examination

Baxter Stratus IIntellect
Du Pont ACA III with aca plus Immunoassay System
Du Pont ACA IV with aca plus Immunoassay System
Du Pont ACA V with aca plus Immunoassay System
Serono Diagnostics SR 1

Analyte: HCG, Urine, Qualitative (Non-waived Procedures)

Test System, Assay, Examination

Bio-Rad Quantimune
Medix Biotech HCG Visual Pregnancy (5/5) Test Kit
Medix Biotech Visual hCG-M Pregnancy Test
Pacific Biotech Beta Quik Stat
Syntron Bioresearch Microcheck HCG
Wampole UCG-BETA SLIDE MONOCLONAL II
Wampole UCG-BETA Stat
Wampole UCG-SLIDE TEST

Analyte: HCG, Urine, Quantitative

Test System, Assay, Examination

Wampole UCG-BETA Stat

Analyte: HCG, Whole Blood, Qualitative

Test System, Assay, Examination

Pacific Biotech Beta Quik Stat

Analyte: Iron

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Ciba Corning 570 Alliance
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Technicon Assist

Analyte: Iron Binding Capacity, Unsat. (UIBC) No Pretreat

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Technicon Chem 1
Technicon Chem 1 Plus

Analyte: Isocitric Dehydrogenase

Test System, Assay, Examination

Abbott VP
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Lactate Dehydrogenase (LDH)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

ANALYTE: Lactate Dehydrogenase Heart Fraction (LDH–1)

Test System, Assay, Examination

Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Bio-Chem Laboratory Systems ATAC 2000/2100
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5131
Olympus Demand
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Lactic Acid (Lactate)

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Ciba Corning 570 Alliance
Coulter Dacos
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Technicon AXON
Technicon Assist
Technicon RA 1000

Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Lipase

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Baxter Paramax
Beckman Synchron CX 4
Beckman Synchron CX 5
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Ciba Corning 570 Alliance
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Technicon AXON
Technicon Assist
Technicon DAX 24
Technicon DAX 48
Technicon DAX 72
Technicon DAX 96

Analyte: Lithium

Test System, Assay, Examination

Medica EasyLyte Lithium

Analyte Luteinizing Hormone (LH)

Test System, Assay, Examination

Baxter Stratus IIntellect
Serono Diagnostics SR 1

Analyte: Magnesium

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Microalbumin

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA II
Roche Cobas Mira
Technicon RA 1000

Analyte: Microprotein, CSF

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory Multistat III
Olympus AU 5000
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Technicon AXON
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Microprotein, Urine

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Ciba Corning 550 Express
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory Multistat III
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Technicon AXON
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Myoglobin

Test System, Assay, Examination

Baxter Stratus
Baxter Stratus II
Baxter Stratus IIntellect

Analyte: Oxyhemoglobin/Oxygen Saturation

Test System, Assay, Examination
Instrumentation Laboratory IL 382

Waters Instruments Oxicom 2100

Analyte: Phosphorus

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Potassium

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Ciba Corning 288
Instrumentation Laboratory IL Monarch 2000
Liston ECS 2000
Medica EasyLyte Lithium
Olympus AU 5131
Olympus Reply/AU560

Analyte: Progesterone

Test System, Assay, Examination

Serono Diagnostics SR 1

Analyte: Prolactin

Test System, Assay, Examination

Baxter Stratus IIntellect
Serono Diagnostics SR 1

Analyte: Prostatic Acid Phosphatase (PAP)

Test System, Assay, Examination

Baxter Stratus
Baxter Stratus II

Analyte: Protein, Total

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Pyruvate

Test System, Assay, Examination

Roche Cobas Bio
Roche Cobas FARA

Analyte: Sodium

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Ciba Corning 288
Instrumentation Laboratory IL Monarch 2000

Liston ECS 2000
Medica EasyLyte Lithium
Olympus AU 5131
Olympus Reply/AU560

Analyte: Sorbital Dehydrogenase (SDH)

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Dacos
Electronucleonics Gemstar
Electronucleonics Gemstar II
Olympus Reply
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Testosterone

Test System, Assay, Examination

Serono Diagnostics SR 1

Analyte: Thyroid Stimulating Hormone [TSH]

Test System, Assay, Examination

Becton Dickinson IQ Immunochemical System
Du Pont ACA III with aca plus Immunoassay System
Du Pont ACA IV with aca plus Immunoassay System
Du Pont ACA V with aca plus Immunoassay System
Roche Cobas FARA II
Serono Diagnostics SR 1
Syva Vista Immunoassay System

Analyte: Thyroid Stimulating Hormone—high sens. (TSH–HS)

Test System, Assay, Examination:

Baxter Stratus IIntellect

Analyte: Thyroxine (T4)

Test System, Assay, Examination

Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 737
Du Pont Dimension ES
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Serono Diagnostics SR 1
Syva Vista Immunoassay System
Technicon AXON
Technicon DAX 24
Technicon DAX 48
Technicon DAX 72
Technicon DAX 96
Wako Diagnostics 30R

Analyte: Thyroxine, Free (FT4)

Test System, Assay, Examination

Baxter Stratus IIntellect
Serono Diagnostics SR 1
Syva Vista Immunoassay System
bioMerieux Vitek Vidas

Analyte: Total Solids (Protein)

Test System, Assay, Examination

American Optical TS Meter
Reichert TS Meter

Analyte: Triglyceride

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Triiodothyronine (T3)

Test System, Assay, Examination

Baxter Stratus IIntellect
Olympus AU 5131
Serono Diagnostics SR 1
Syva Vista Immunoassay System

Analyte: Triiodothyronine Uptake (T3U) [TU]

Test System, Assay, Examination

Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Serono Diagnostics SR 1
Syva Vista Immunoassay System
Technicon AXON
Wako Diagnostics 30R

Analyte: Urea (BUN)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Uric Acid

Test System, Assay, Examination

Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560

Analyte: Vitamin B12

Test System, Assay, Examination

Baxter Stratus
Baxter Stratus II
Baxter Stratus IIntellect

SPECIALITY/SUBSPECIALITY: General Immunology

Analyte: Alpha-1-Antitrypsin

Test System, Assay, Examination

Abbott Spectrum EPX
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas FARA II
Roche Cobas Mira
Technicon RA 1000

Analyte: Alpha-2-Macroglobulin

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Anti-DNP Antibodies

Test System, Assay, Examination

Sterling Diagnostics Test Kit

Analyte: Anti-Streptolysin O (ASO)

Test System, Assay, Examination

Instrumentation Laboratory IL Monarch 2000
Sterling Diagnostics Test Kit

Analyte: Beta-2 Microglobulin

Test System, Assay, Examination

Du Pont ACA II
Du Pont ACA III
Du Pont ACA IV

Analyte: C-Reactive Protein (CRP)

Test System, Assay, Examination

Abbott Spectrum EPX
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas FARA II
Sterling Diagnostics Test Kit

Analyte: Ceruloplasmin

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Complement C3

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Complement C4

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Ciba Corning 550 Express

Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Haptoglobin

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas FARA II
Roche Cobas Mira
Technicon RA 1000

Analyte: Hepatitis A Virus Antibody

Test System, Assay, Examination

Syva MicroTrak XL

Analyte: Hepatitis Be Antibody

Test System, Assay, Examination

Syva MicroTrak XL

Analyte: Hepatitis Be Antigen

Test System, Assay, Examination

Syva MicroTrak XL

Analyte: Immunoglobulins IgA

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Immunoglobulins IgE

Test System, Assay, Examination

Baxter Stratus IIntellect
Quidel Total IgE Test (QRA reader)

Analyte: Immunoglobulins IgG

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Immunoglobulins IgM

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira

Analyte: Infectious Mononucleosis Antibodies (Mono)

Test System, Assay, Examination

Sterling Diagnostics Test Kit

Analyte: Kappa Light Chains

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Lambda Light Chains

Test System, Assay, Examination

Roche Cobas FARA II

Analyte: Prealbumin

Test System, Assay, Examination

Abbott Spectrum EPX
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA II
Roche Cobas Mira
Technicon RA 1000

Analyte: Prostatic Specific Antigen (PSA)

Test System, Assay, Examination

Baxter Stratus
Baxter Stratus II

Analyte: Rheumatoid Factor (RF)

Test System, Assay, Examination

Instrumentation Laboratory IL Monarch 2000
Sterling Diagnostics Test Kit

Analyte: Rubella Antibodies

Test System, Assay, Examination

General Biometrics ImmunoDot TORCH Test
Serono Diagnostics SR 1

Analyte: Toxoplasma Gondii Antibodies

Test System, Assay, Examination

Serono Diagnostics SR 1

Analyte: Transferrin

Test System, Assay, Examination

Abbott Spectrum EPX
Abbott VP
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Ciba Corning 550 Express
Coulter Dacos
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas Mira

SPECIALITY/SUBSPECIALITY: Hematology

Analyte: Activated Clotting Time (ACT)

Test System, Assay, Examination

Sienco SONOCLOT II Surgical Analyzer (direct readout)

Analyte: Activated Partial Thromboplastin Time (APTT)

Test System, Assay, Examination

Boehringer Mannheim Unimeter CU–500
Instrumentation Laboratory IL ACL 300 Plus
LAbor CoaData 3000
Medical Laboratory MLA Electra 600
Medical Laboratory MLA Electra 650
Sienco Dual Sample Aggregation Meter (DP–247)

Analyte: Bleeding Time

Test System, Assay, Examination:

Duke Bleeding Time

Analyte: Body Fluid Microscopic Elements

Test System, Assay, Examination:

Fern Test

Analyte: Fibrinogen

Test System, Assay, Examination:

Abbott Spectrum EPX
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Coulter Optichem 100
Coulter Optichem 120

Coulter Optichem 180
Electronucleonics Gem-Profiler
Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
International Technidyne Factor VI
Labor CoaData 3000
Roche Cobas Bio
Roche Cobas FARA II
Technicon RA 1000

Analyte: Hematocrit

Test System, Assay, Examination

Baker JTB 500A
Baker JTB 700A
Becton Dickinson QBC HemaScan
Bio-Dynamics CellTrak 5
Instrumentation Laboratory IL Cellect 7
Instrumentation Laboratory IL Cellect 8
Instrumentation Laboratory IL Cellect 8E
Mallinckrodt Gem 6 Plus
Mallinckrodt Gem Premier
Roche Cobas Argos5 Diff
Serono Baker Series 150
Serono Baker Series 170
Serono Baker Series 5000
Serono Baker Series 7000
Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Serono Diagnostics 9000 Rx
Sysmex CC–800 with PDA–410
Sysmex K–1000 with PDA upgrade

Analyte: Hemoglobin

Test System, Assay, Examination

Abbott VP
Baker JTB 500A
Baker JTB 700A
Beckman Synchron CX 4
Beckman Synchron CX 5
Becton Dickinson QBC HemaScan
Bio-Dynamics CellTrak 3
Bio-Dynamics CellTrak 5
Boehringer Mannheim Hitachi 736
Electronucleonics Gemstar
Instrumentation Laboratory IL Cellect 7
Instrumentation Laboratory IL Cellect 8
Instrumentation Laboratory IL Cellect 8E
Roche Cobas Argos5 Diff
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Serono Baker Series 130
Serono Baker Series 150
Serono Baker Series 170
Serono Baker Series 5000
Serono Baker Series 7000
Serono Baker System 7500
Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Serono Diagnostics 9000 Rx
Stanbio Hemoglobin Analyzer
Sysmex CC–800 with PDA–410
Sysmex K–1000 with PDA upgrade
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Hemoglobin A2

Test System, Assay, Examination

Ciba Corning Model 765 Glycomat
Drew Scientific Glycomat Haemoglobin Analyzer

Analyte: Hemoglobin Fractions

Test System, Assay, Examination

Ciba Corning Model 765 Glycomat
Drew Scientific Glycomat Haemoglobin Analyzer

Analyte: Hemoglobin S

Test System, Assay, Examination

Ortho Sickledex
Sterling Diagnostics Sickle Cell Uni-test

Analyte: Platelet Count

Test System, Assay, Examination

Instrumentation Laboratory IL Cellect 8
Instrumentation Laboratory IL Cellect 8E
Roche Cobas Argos5 Diff
Roche Cobas Helios
Serono Baker MK–4/HC
Serono Baker Series 810 Platelet Analyzer
Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Serono Diagnostics 9000 Rx
Sysmex CC–800 with PDA–410
Sysmex K–1000 with PDA upgrade

Analyte: Prothrombin Time (PT)

Test System, Assay, Examination

Instrumentation Laboratory IL ACL 300 Plus
Labor CoaData 3000
Medical Laboratory MLA Electra 600
Medical Laboratory MLA Electra 650
Sienco Dual Sample Aggregation Meter (DP–247)

Analyte: Red Blood Cell Count (Erythrocyte Count) (RBC)

Test System, Assay, Examination

Baker JTB 500A
Baker JTB 700A
Bio-Dynamics CellTrak 2
Bio-Dynamics CellTrak 3
Bio-Dynamics CellTrak 5
Instrumentation Laboratory IL Cellect 7
Instrumentation Laboratory IL Cellect 8
Instrumentation Laboratory IL Cellect 8E
Roche Cobas Argos5 Diff
Serono Baker Series 130
Serono Baker Series 150
Serono Baker Series 170
Serono Baker Series 5000
Serono Baker Series 7000
Serono Baker System 7500
Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Serono Diagnostics 9000 Rx
Sysmex CC–800 with PDA–410
Sysmex K–1000 with PDA upgrade
Sysmex R–1000

Analyte: Thrombin Time

Test System, Assay, Examination

Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL ACL 810
Labor CoaData 3000
Medical Laboratories MLA Electra 650
Medical Laboratories MLA Electra 700

Analyte: White Blood Cell Count (Leukocyte Count) (WBC)

Test System, Assay, Examination

Baker JTB 500A
Baker JTB 700A
Becton Dickinson QBC HemaScan
Bio-Dynamics CellTrak 2
Bio-Dynamics CellTrak 3
Bio-Dynamics CellTrak 5
Instrumentation Laboratory IL Cellect 7
Instrumentation Laboratory IL Cellect 8
Instrumentation Laboratory IL Cellect 8E
Roche Cobas Argos5 Diff
Serono Baker Series 130
Serono Baker Series 150
Serono Baker Series 170
Serono Baker Series 5000
Serono Baker Series 7000
Serono Baker System 7500
Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Serono Diagnostics 9000 Rx
Sysmex CC–800 with PDA–410
Sysmex K–1000 with PDA upgrade

Analyte: White Blood Cell Differential (WBC Diff)

Test System, Assay, Examination

Serono Diagnostics 8000
Serono Diagnostics 9000
Serono Diagnostics 9000 Ax
Serono Diagnostics 9000 Plus
Sysmex CC–800 with PDA–410
Sysmex E–2500
Sysmex E–5000
Sysmex F–800
Sysmex K–1000 with PDA upgrade
Sysmex M–2000
Sysmex NE–8000

Analyte: Whole Blood Clotting Time

Test System, Assay, Examination

Haemoscope Computerized Thromboelastograph
Lee-White Clotting Time

SPECIALITY/SUBSPECIALITY: Mycology

Analyte: Dermatophytes

Test System, Assay, Examination

Acuderm inc. Acu-DTM
Difco Bacto - DTM Medium
Remel DTM

Analyte: Yeast, Candida only

Test System, Assay, Examination:

Centocar Diagnostics Vagitest (direct Ag/visual)

SPECIALITY/SUBSPECIALITY: Parasitology

Analyte: Trichomonas

Test System, Assay, Examination:

Biomed Diagnostics InPouch TV (direct wet mount)
Biomed Diagnostics InPouch TV (using selective media)
Centocar Diagnostics Vagitest (direct Ag/visual)

MicroProbe Affirm VP Microbial Identification Test Kit

SPECIALITY/SUBSPECIALITY: Toxicology / TDM

Analyte: Acetaminophen

Test System, Assay, Examination

Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560

Analyte: Amikacin

Test System, Assay, Examination

Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 704
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Amphetamines

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Barbiturates

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 500
Wako Diagnostics 30R

Analyte: Benzodiazepines

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 500
Wako Diagnostics 30R

Analyte: Caffeine

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory IL Monarch Plus
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira Plus
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Cannabinoids (THC)

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Drug Screening Systems microLINE Screens
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Carbamazepine

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Chloramphenicol

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Roche Cobas Bio
Roche Cobas Bio FP

Analyte: Cocaine Metabolites

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Drug Screening Systems microLINE Screens
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 500
Wako Diagnostics 30R

Analyte: Digitoxin

Test System, Assay, Examination

Baxter Stratus IIntellect
Du Pont ACA II
Du Pont ACA III

Analyte: Digoxin

Test System, Assay, Examination

Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 911
Du Pont ACA II
Du Pont ACA III
Olympus Reply/AU560
Roche Cobas Bio
Serono Diagnostics SR 1

Analyte: Disopyramide

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Drugs of Abuse

Test System, Assay, Examination

Environmental Diagnostics EZ–SCREEN

Analyte: Ethanol (Alcohol)

Test System, Assay, Examination

Abbott Spectrum
Abbott VP
Boehringer Mannheim Hitachi 736

Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5000
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas Mira Plus
Technicon Assist
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Ethosuximide

Test System, Assay, Examination

Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Gentamicin

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4 CE
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Wako Diagnostics 30R

Analyte: Isonicotinic Acid

Test System, Assay, Examination

DynaGen MYCODYN URITEC Test Strips

Analyte: Lidocaine

Test System, Assay, Examination

Baxter Stratus IIntellect
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira Plus
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Methadone

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Methamphetamines

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Ciba Corning 550 Express
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Drug Screening Systems microLINE Screens
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory IL Monarch Plus
Olympus AU 5000
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Methaqualone

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Methotrexate

Test System, Assay, Examination

Roche Cobas Bio
Roche Cobas Mira
Roche Cobas Mira Plus
Roche Cobas Mira S

Analyte: N-Acetylprocainamide (NAPA)

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Netilmycin

Test System, Assay, Examination

Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Opiates

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Drug Screening Systems microLINE Screens
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP

Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 500
Wako Diagnostics 30R

Analyte: Phencyclidine (PCP)

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Drug Screening Systems microLINE Screens
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA
Technicon RA 500
Wako Diagnostics 30R

Analyte: Phenobarbital

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4 CE
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Wako Diagnostics 30R

Analyte: Phenytoin

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4 CE
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Wako Diagnostics 30R

Analyte: Primidone

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Procainamide

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 717
Ciba Corning 550 Express
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Propoxyphene

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Coulter Optichem 100
Coulter Optichem 120
Coulter Optichem 180
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas Bio FP
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT
Wako Diagnostics 30R

Analyte: Quinidine

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Salicylates

Test System, Assay, Examination

Abbott VP
Bio-Chem Laboratory Systems ATAC 2000/2100
Boehringer Mannheim Hitachi 736
Boehringer Mannheim Hitachi 737
Boehringer Mannheim Hitachi 747
Boehringer Mannheim Hitachi 911
EM Diagnostic Systems EPOS
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560

Analyte: Theophylline

Test System, Assay, Examination

Baxter Stratus IIntellect
Beckman Synchron CX 4 CE
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 911
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio
Sanofi Pasteur Access Immunoassay System
Wako Diagnostics 30R

Analyte: Tobramycin

Test System, Assay, Examination

Baxter Stratus IIntellect
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Olympus Reply/AU560
Roche Cobas Bio

Analyte: Tricyclic Antidepressants

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory IL Monarch Plus
Roche Cobas Bio FP
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira Plus
Roche Cobas Mira S
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Valproic Acid

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas Bio FP
Technicon RA 1000
Technicon RA 500
Technicon RA XT

Analyte: Vancomycin

Test System, Assay, Examination

Beckman Synchron CX 4
Beckman Synchron CX 4 CE
Beckman Synchron CX 5
Beckman Synchron CX 7
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Roche Cobas Mira Plus
Roche Cobas Mira S

Technicon RA 1000
Technicon RA 500
Technicon RA XT

SPECIALITY/SUBSPECIALITY: Urinalysis

Analyte: Urine Qualitative Dipstick Chemistries

Test System, Assay, Examination

Boehringer Mannheim Chemstrip Urine Analyzer

SPECIALITY/SUBSPECIALITY: Virology

Analyte: Herpetic Inclusion Bodies for Herpes

Test System, Assay, Examination

Tzanck Smears

COMPLEXITY: HIGH

SPECIALITY/SUBSPECIALITY: Bacteriology

Analyte: Aerobic &/or Anaerobic Organisms-unlimited sources

Test System, Assay, Examination

Becton Dickinson BBL Minitek Enterobact. III Set (inc cult)
Becton Dickinson BBL Minitek Gram Positive Set (inc. cult)
Becton Dickinson BBL Minitek Neisseria Set (inc. culture)
Unipath Oxoid Toxin Detect. Kit BCET-RPLA (inc cult./filt.)
Unipath Oxoid Toxin Detect. Kit SET-RPLA (inc cult./filt.)

Analyte: Chlamydia

Test System, Assay, Examination

Ciba Corning Magic Lite Chlamydia (including cell culture)
Ortho Chlamydia Antigen ELISA Test (inc cell cult/spectro)
Sanofi/Kallestad Pathfinder Chlamydia EIA Detection Kit
Syva MicroTrak II Chlamydia EIA (Direct Ag/Spectrophoto)
Syva MicroTrak XL

Analyte: Clostridium difficile

Test System, Assay, Examination

BioWhittaker TOX-A Test (direct antigen/spectro)
BioWhittaker TOX-A Test (direct antigen/visual)

Analyte: Haemophilus influenzae, type a, c-f

Test System, Assay, Examination

Difco Bacto H. influenzae Set (including culture)

Analyte: Haemophilus influenzae, type b

Test System, Assay, Examination

Difco Bacto H. influenzae Set (including culture)

Analyte: Legionella

Test System, Assay, Examination

Medical Diag. Technologies Legionella (including culture)

Analyte: Neisseria gonorrhoeae

Test System, Assay, Examination

Gen-Probe Pace2 (direct antigen)
Gen-Probe Pace2 (including culture)

Analyte: Neisseria meningitidis (non-specific)

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)

Analyte: Neisseria meningitidis, group A

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)

Analyte: Neisseria meningitidis, group B

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)

Analyte: Neisseria meningitidis, group C

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)

Analyte: Neisseria meningitidis, group W135

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)

Analyte: Staphylococcus

Test System, Assay, Examination

Unipath Oxoid Staphylase Test (including culture)
Vitek Systems Slidex Staph-Kit (including culture)

Analyte: Streptococcus, group A

Test System, Assay, Examination

Abbott TestPack Plus Strep A (including culture)

SPECIALITY/SUBSPECIALITY: General Chemistry

Analyte: 17 Ketosteroid

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: 5'Nucleotidase

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Electronucleonics FLEXIGEM
Sigma Diagnostics Test Kit

Analyte: Acid Phosphatase

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Instrumentation Laboratory Multistat III
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Adrenocorticotropic Hormone (ACTH)

Test System, Assay, Examination

Incstar ACTH
Incstar PEG-ACTH

Analyte: Alanine Aminotransferase (ALT) (SGPT)

Test System, Assay, Examination

Ames OPTIMATE
Beckman Manual Spectrophotometric Test Procedure
Genetic Systems Alanine Aminotransferase (ALT/GPT)
Randox Laboratories Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Albumin

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
The Binding Site Human Albumin NL RID

Analyte: Aldolase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Alkaline Phosphatase (ALP)

Test System, Assay, Examination

Ames OPTIMATE
Beckman Manual Spectrophotometric Test Procedure
Randox Laboratories Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Test Kit

Analyte: Alkaline Phosphatase Isoenzymes

Test System, Assay, Examination

Beckman Paragon ISOPAL Isoenzyme Electrophoresis Kit

Analyte: Alpha-Fetoprotein—Amniotic Fluid

Test System, Assay, Examination

Abbott AFP (EIA)
Abbott COMMANDER System
Abbott IMX
Amersham Amerlex
Clinical Assays GammaDab
Hybritech Tandem-E
Kallestad AFP/Ob Radioimmunoassay

Analyte: Alpha-Fetoprotein—Maternal Serum

Test System, Assay, Examination

Kallestad AFP/Ob Radioimmunoassay

Analyte: Alpha-Hydroxybutyrate Dehydrogenase (HBDH)

Test System, Assay, Examination

Ames OPTIMATE
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Test Kit

Analyte: Ammonia, Plasma/Serum

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Sigma Diagnostics Test Kit

Analyte: Amylase

Test System, Assay, Examination

Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit

Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Androstenedione

Test System, Assay, Examination

Clinical Assays GammaCoat

Analyte: Angiotensin Converting Enzyme (ACE)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Instrumentation Laboratory Multistat III
Sigma Diagnostics Test Kit

Analyte: Apolipoprotein A1

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Electronucleonics FLEXIGEM
Instrumentation Laboratory Multistat III
Sigma Diagnostics Test Kit

Analyte: Apolipoprotein B

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Electronucleonics FLEXIGEM
Sigma Diagnostics Test Kit

Analyte: Aspartate Aminotransferase (AST) (SGOT)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Randox Laboratories Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Beta-Glucuronidase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Beta-Hydroxybutyrate

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Electronucleonics FLEXIGEM
Instrumentation Laboratory Multistat III
Sigma Diagnostics Test Kit

Analyte: Bilirubin, Direct

Test System, Assay, Examination

Ames Optimate
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Bilirubin, Total

Test System, Assay, Examination

Ames Optimate
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Blood Lead

Test System, Assay, Examination

esa Model 3010A Trace Metals Analyzer
esa Model 3010B Lead Analyzer

Analyte: C-Peptide

Test System, Assay, Examination

Incstar C-Peptide

Analyte: Calcitonin

Test System, Assay, Examination

Incstar Calcitonin II

Analyte: Calcium, Total

Test System, Assay, Examination

Ames Optimate
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Carbon Dioxide, Total (CO_2)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Synermed Test Kit

Analyte: Chloride

Test System, Assay, Examination

Ames Optimate
Buchler Digital Chloridometer
King Diagnostics Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Chloride, Sweat (Cystic Fibrosis Sweat Test)

Test System, Assay, Examination

Scandipharm CF Indicator (9800)

Analyte: Cholesterol

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Cholinesterase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Cholyglycine (Bile Acids)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Sigma Diagnostics Test Kit

Analyte: Cortisol

Test System, Assay, Examination

Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: Creatine Kinase (CK)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Creatine Kinase Isoenzymes (CK Isoenzymes)

Test System, Assay, Examination

Beckman Paragon CK Isoenzyme Electrophoresis Kit

Analyte: Creatine Kinase MB Fraction [CKMB]

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Sigma Diagnostics Test Kit

Analyte: Creatine Kinase MM Fraction [CKMM]

Test System, Assay, Examination

Beckman Paragon CK–MM Isoforms Electrophoresis Kit

Analyte: Creatinine

Test System, Assay, Examination

Ames Optimate
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Cyclic AMP

Test System, Assay, Examination

Incstar Camp

Analyte: Erythropoietin

Test System, Assay, Examination

Incstar EPO-Trac
R&D Systems Clinigen Erythopoietin EIA

Analyte: Estradiol

Test System, Assay, Examination

Serono Diagnostics Serozyme

Analyte: Fatty Acids, Non-Esterified

Test System, Assay, Examination

Sterling Diagnostics Analyzer 2000

Analyte: Ferritin

Test System, Assay, Examination

Clinical Assays GammaCoat
Clinical Assays GammaDab
Serono Diagnostics Serozyme

Analyte: Foam Stability Index

Test System, Assay, Examination

Beckman Lumadex—FSI

Analyte: Follicle Stimulating Hormone (FSH)

Test System, Assay, Examination

Clinical Assays GammaDab
ICN Immunochem FSH–MW Elisa
Serono Diagnostics Serozyme

Analyte: Galactose-1-Phosphate Uridyl Transferase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Gamma Glutamyl Transferase (GGT)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Medical Analysis Systems RefLab Test Kit
Randox Laboratories Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Gastrin

Test System, Assay, Examination

Clinical Assays GammaDab

Analyte: Glucose

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
King Diagnostics Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Glucose-6-Phosphate Dehydrogenase (G–6–PDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Electronucleonics Flexigem
Sigma Diagnostics Test Kit

Analyte: Glutathione Reductase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Glycosylated Hemoglobin (Hgb A1C)

Test System, Assay, Examination

Beckman Paragon Diatrac HbA1C Glycohemoglobin Electro Kit
Sigma Diagnostics Glycated Hemoglobin Kit
Sigma Diagnostics Glycohemoglobin Kit
Sterling Diagnostics Test Kit

Analyte: HCG, Serum, Quantitative

Test System, Assay, Examination

Serono Diagnostics Serozyme

Analyte: HCG, Urine, Qualitative (non-waived procedures)

Test System, Assay, Examination

Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: HDL Cholesterol

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Beckman Manual Spectrophotometric Test Procedure
Boehringer Mannheim Hitachi 911
Coulter Dacos
EM Diagnostic Systems Easy Plus (manual pretreatment)
EM Diagnostic Systems Easy ST (manual pretreatment)
EM Diagnostic Systems EPOS
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Olympus AU 5131
Olympus Reply/AU560
Roche Cobas Bio
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Synermed Test Kit

Analyte: Human Growth Hormone (GH)

Test System, Assay, Examination

Incstar hGH
Kallestad Quantitope HGH RIA Kit

Analyte: Insulin-like Growth Factor-1 (IGF–1)

Test System, Assay, Examination

Incstar IGF–I (Somatomedin C)

Analyte: Iron

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Kenlor Industries Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Iron Binding Capacity (Post Saturation/Separation)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Boehringer Mannheim Hitachi 911
Ciba Corning 550 Express
Coulter Dacos
Instrumentation Laboratory IL Genesis 21
Instrumentation Laboratory IL Monarch 2000
Kenlor Industries Test Kit
Olympus AU 5000
Olympus AU 5021
Olympus AU 5031
Olympus AU 5061
Olympus AU 5121
Olympus AU 5131
Olympus Reply
Olympus Reply/AU560
Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Sigma Diagnostics Test Kit
Technicon DAX 24
Technicon DAX 48
Technicon DAX 72
Technicon DAX 96
Technicon RA 2000
Technicon RA XT

Analyte: Isocitric Dehydrogenase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Lactate Dehydrogenase (LDH)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Lactate Dehydrogenase Heart Fraction (LDH–1)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Sigma Diagnostics Test Kit

Analyte: Lactate Dehydrogenase Isoenzymes

Test System, Assay, Examination

Beckman Paragon LD Isoenzyme Electrophoresis Kit

Analyte: Lactic Acid (Lactate)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Electronucleonics Flexigem
Sigma Diagnostics Test Kit

Analyte: Leucine Aminopeptidase (LAP)

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Lipase

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Electronucleonics Flexigem
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Lipoprotein Fractions

Test System, Assay, Examination

Beckman Paragon Lipoprotein Electrophoresis Kit

Analyte: Luteinizing Hormone (LH)

Test System, Assay, Examination

Clinical Assays GammaDab
Serono Diagnostics Serozyme

Analyte: Magnesium

Test System, Assay, Examination

Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Microprotein, CSF

Test System, Assay, Examination

Abbott Bichromatic ABA 200
Kenlor Industries Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Microprotein, Urine

Test System, Assay, Examination

Abbott Bichromatic ABA 200
Kenlor Industries Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Myoglobin

Test System, Assay, Examination

ImmunoDiagnosticCenter Myoglobin Elisa Test Kit

Analyte: Oxalate

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Abbott Spectrum
Abbott VP
Beckman Synchron CX 4
Beckman Synchron CX 5
Bio-Chem Laboratory Systems ATAC 2000/2100
BioAutoMed ASCA
Boehringer Mannheim Hitachi 704
Boehringer Mannheim Hitachi 705
Boehringer Mannheim Hitachi 717
Boehringer Mannheim Hitachi 736
Ciba Corning 550 Express
Coulter Dacos
EM Diagnostic Systems EPOS
Electronucleonics Flexigem
Electronucleonics Gem-Profiler
Electronucleonics Gemini
Electronucleonics Gemstar
Electronucleonics Gemstar II
Instrumentation Laboratory IL Monarch 1000
Instrumentation Laboratory IL Monarch 2000
Instrumentation Laboratory Multistat III
Olympus Reply
Olympus Reply/AU560

Roche Cobas Bio
Roche Cobas FARA
Roche Cobas FARA II
Roche Cobas Mira
Sigma Diagnostics Test Kit
Technicon RA 1000
Technicon RA 2000
Technicon RA 500
Technicon RA XT

Analyte: Parathyroid Hormone—C-Terminal

Test System, Assay, Examination

Incstar C-terminal PTH

Analyte: Parathyroid Hormone—Intact

Test System, Assay, Examination

Incstar N-tact PTH IRMA

Analyte: Parathyroid Hormone—Mid-molecule (PTH-M)

Test System, Assay, Examination

Incstar PTH-MM II

Analyte: Phosphohexose Isomerase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Phospholipids

Test System, Assay, Examination

Sterling Diagnostics Analyzer 2000

Analyte: Phosphorus

Test System, Assay, Examination

Ames Optimate
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Potassium

Test System, Assay, Examination

Boehringer Mannheim LyteTek Flame Photometer
Sterling Diagnostics Test Kit

Analyte: Progesterone

Test System, Assay, Examination

Serono Diagnostics Serozyme

Analyte: Prolactin

Test System, Assay, Examination

Clinical Assays GammaDab
ICN Immunochem PRL-MW Elisa
Serono Diagnostics Serozyme

Analyte: Prostatic Acid Phosphatase (PAP)

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Protein, Total

Test System, Assay, Examination

Ames Optimate
Kenlor Industries Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000

Analyte: Pyruvate

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Pyruvate Kinase

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Renin

Test System, Assay, Examination

Clinical Assays GammaCoat

Analyte: Sodium

Test System, Assay, Examination

Boehringer Mannheim LyteTek Flame Photometer
Sterling Diagnostics Test Kit

Analyte: Sorbital Dehydrogenase (SDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Instrumentation Laboratory Multistat III
Sigma Diagnostics Test Kit

Analyte: Testosterone

Test System, Assay, Examination

Clinical Assays GammaCoat
Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: Thyroid Stimulating Hormone (TSH)

Test System, Assay, Examination

Pointe Scientific 180 Chemistry Analyzer
Serono Diagnostics Serozyme
Wallac Oy Delfia hTSH Ultra Kit

Analyte: Thyroxine (T4)

Test System, Assay, Examination

Pointe Scientific 180 Chemistry Analyzer
Serono Diagnostics Serozyme

Analyte: Thyroxine Binding Globulin (TBG)

Test System, Assay, Examination

Clinical Assays GammaDab

Analyte: Thyroxine, Free (FT4)

Test System, Assay, Examination

Serono Diagnostics Serozyme

Analyte: Triglyceride

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Triiodothyronine (T3)

Test System, Assay, Examination

Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: Triiodothyronine Uptake (T3U) (TU)

Test System, Assay, Examination

Pointe Scientific 180 Chemistry Analyzer
Serono Diagnostics Serozyme

Analyte: Triiodothyronine, Free (FT3)

Test System, Assay, Examination

Clinical Assays GammaCoat
Kodak Amerlex MAB
Kodak Amerlite MAB
Serono Diagnostics Serozyme

Analyte: Urea (BUN)

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
King Diagnostics Test Kit
Sigma Diagnostics Test Kit
Sterling Diagnostics Analyzer 2000
Sterling Diagnostics Test Kit

Analyte: Uric Acid

Test System, Assay, Examination

Ames Optimate
Beckman Manual Spectrophotometric Test Procedure
Sigma Diagnostics Test Kit
Sterling Diagnostics Test Kit

Analyte: Zinc

Test System, Assay, Examination

esa Model 3010A Trace Metals Analyzer

Speciality/Subspeciality: General Immunology

Analyte: Allergen Specific IgE

Test System, Assay, Examination

Kallestad Allercoat EAST
Kallestad Allercoat RAST
Kallestad Allercoat Rapid EAST

Analyte: Alpha-1-Acid Glycoprotein (Orosomucoid)

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Alpha-1-Antitrypsin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Alpha-1 Antitrypsin RID

Analyte: Alpha-2-Macroglobulin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Alpha-2 Macroglobulin RID

Analyte: Anti-DNA Antibodies

Test System, Assay, Examination

elias usa Synelisa dsDNA Antibodies

Analyte: Anti-Jo-1

Test System, Assay, Examination

Diamedix Anti-Jo-1 Microassay

Analyte: Anti-Nuclear Antibodies (ANA)

Test System, Assay, Examination

Sanofi/Kallestad ANA Microplate EIA

Analyte: Anti-RNP (Ribonucleoprotein)

Test System, Assay, Examination

Kallestad Sm/RNP ENA

Analyte: Anti-SS-A/Ro

Test System, Assay, Examination

Kallestad SSA/SSB ENA

Analyte: Anti-SS-B/La

Test System, Assay, Examination

Kallestad SSA/SSB ENA

Analyte: Anti-Sm (Smith)

Test System, Assay, Examination

Kallestad Sm/RNP ENA

Analyte: Anti-Thyroglobulin Antibodies

Test System, Assay, Examination

Murex Thymune-T
Wellcome Thymune-T

Analyte: Anti-Thyroid Microsomal Antibodies (AMA)

Test System, Assay, Examination

Murex Thymune-M
Wellcome Thymune-M

Analyte: Beta-2 Microglobulin

Test System, Assay, Examination

The Binding Site Human Beta-2 Microglobulin EL RID

Analyte: C-Reactive Protein (CRP)

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
Instrumentation Laboratory Multistat III
The Binding Site C-Reactive Protein (Turbidimetric)
The Binding Site Human C-Reactive Protein EL RID

Analyte: Cerebrospinal Fluid Protein Fractions

Test System, Assay, Examination

Beckman Paragon HRE Electrophoresis Kit
Beckman Paragon Immunoelectrophoresis (IEP) Kit
Beckman Paragon Immunofixation Electrophoresis (IFE) Kit
Beckman Paragon SPE Electrophoresis Kit
Beckman Paragon SPE-II Electrophoresis Kit

Analyte: Ceruloplasmin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Caeruloplasmin RID

Analyte: Chlamydia Trachomatis Antibodies

Test System, Assay, Examination

Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: Complement C1 Inhibitor

Test System, Assay, Examination

The Binding Site Human C1 Inactivator RID

Analyte: Complement C1q

Test System, Assay, Examination

The Binding Site Human Complement C1q NL RID

Analyte: Complement C3

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Complement C3 & C4 RID

Analyte: Complement C4

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Complement C3 & C4 RID

Analyte: Complement, Total

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: Cytomegalovirus Antibodies

Test System, Assay, Examination

Diamedix CMV IgM Microassay
General Biometrics Cytomegalovirus IgG IFA Test
General Biometrics Cytomegalovirus IgM IFA Test
Serono Baker Serozyme
Serono Diagnostics Serozyme
Sigma SIA CMV IgG
Zeus CMV IgM IFA Test System

Analyte: Entamoeba Histolytica Antibodies

Test System, Assay, Examination

LMD Laboratories Amebiasis Microtiter ELISA (visual)

Analyte: Epstein-Barr Virus Antibodies

Test System, Assay, Examination

Amico Amizyme EB-VCA Virus Antigen IgM Test (visual)
Zeus EBV-NA (ACIF) Ab Test System

Analyte: Globulin, Total

Test System, Assay, Examination

Sigma Diagnostics Test Kit

Analyte: HIV Antibodies

Test System, Assay, Examination

Organon Teknika Vironostika HIV-1 Microelisa System

Analyte: Haptoglobin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Haptoglobin RID

Analyte: Hepatitis A Virus Antibody

Test System, Assay, Examination

Sorin Biomedica ETI AB-HAVK

Analyte: Herpes Simplex I and/or II Antibodies

Test System, Assay, Examination

General Biometrics Herpes simplex Virus IgG IFA Test
General Biometrics Herpes simplex Virus IgM IFA Test

Analyte: Histoplasma Antibodies

Test System, Assay, Examination

Meridian Diagnostics Premier Histoplasma EIA

Analyte: Immunoglobulins IgA

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID

Analyte: Immunoglobulins IgD

Test System, Assay, Examination

The Binding Site Human Immunoglobulin D RID

Analyte: Immunoglobulins IgE

Test System, Assay, Examination

Kallestad Allercoat EAST
Kallestad Allercoat RAST
Sanofi/Kallestad Total IgE Microplate
Serono Baker Serozyme
Serono Diagnostics Serozyme

Analyte: Immunoglobulins IgG

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID

Analyte: Immunoglobulins IgG Subclasses

Test System, Assay, Examination

The Binding Site BINDAZYME Human IgG Subclasses EIA
The Binding Site Human IgG Subclasses Monoclonal RID
The Binding Site Human IgG Subclasses Single Dilution RID

Analyte: Immunoglobulins IgM

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID

Analyte: Kappa Light Chains

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Lambda Light Chains

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Prealbumin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
Instrumentation Laboratory Multistat III
The Binding Site Human Prealbumin RID

Analyte: Properdin Factor B

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Protein Fractions

Test System, Assay, Examination

Beckman Paragon HRE Electrophoresis Kit
Beckman Paragon Immunoelectrophoresis (IEP) Kit
Beckman Paragon Immunofixation Electrophoresis (IFE) Kit
Beckman Paragon SPE Electrophoresis Kit
Beckman Paragon SPE-II Electrophoresis Kit

Analyte: Rheumatoid Factor (RF)

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Rubella Antibodies

Test System, Assay, Examination

Sigma SIA Rubella IgM
Zeus Rubella IgM ELISA Test System

Analyte: Taenia Solium Antibodies (Cysticercosis)

Test System, Assay, Examination

LMD Laboratories Cysticercosis Microtiter ELISA (visual)

Analyte: Toxoplasma Gondii Antibodies

Test System, Assay, Examination

Diamedix Toxoplasma IgM Microassay
General Biometrics Toxoplasmosis IgG IFA Test
General Biometrics Toxoplasmosis IgM IFA Test
LMD Laboratories Toxoplasma IgG Microtiter ELISA (visual)
Sigma SIA Toxoplasma IgG

Analyte: Transferrin

Test System, Assay, Examination

Beckman Auto ICS
Beckman ICS
Beckman ICS II
The Binding Site Human Transferrin RID

Analyte: Treponema Pallidum Antibodies (includes Reagin)

Test System, Assay, Examination

ADI Visuwell Reagin (spectrophotometric)

Analyte: Trichinella Antibodies

Test System, Assay, Examination

LMD Laboratories Trichinella Microtiter ELISA (visual)

Speciality/Subspeciality: Hematology

Analyte: Activated Clotting Time (ACT)

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures

Analyte: Alpha-2-Antiplasmin

Test System, Assay, Examination

Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL ACL 810

Analyte: Antiplasmin

Test System, Assay, Examination

American Bioproducts STACHROM Antiplasmin Test Kit
Ortho Koagulab CTS

Analyte: Antithrombin III (ATIII)

Test System, Assay, Examination

American Diagnostica Actichrome Antithrombin III
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Instrumentation Laboratory IL ACL 100
Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL ACL 810
LAbor CoaData 3000
Ortho Koagulab CTS
The Binding Site Human Antithrombin III RID

Analyte: Cerebrospinal Fluid Microscopic Elements

Test System, Assay, Examination

All Manual Cerebrospinal Fluid Cell Count Procedures

Analyte: Coagulation Factors

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures
Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL ACL 810
LAbor CoaData 3000

Analyte: Fibrin Split Products (Fibrin Degradation)

Test System, Assay, Examination

American Diagnostica Dimertest StripWell EIA Kit
Sigma Fibrin/Fibrinogen Degradation Products

Analyte: Hemoglobin

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Data Medical Associates Hemoglobin Determination
Sigma Diagnostics Plasma Hemoglobin
Sigma Diagnostics Test Kit
Sigma Diagnostics Total Hemoglobin
Sterling Diagnostics Analyzer 2000

Analyte: Hemoglobin Fractions

Test System, Assay, Examination

Beckman Paragon Acid Hemoglobin (Acid Hb) Electropho. Kit
Beckman Paragon Hemoglobin (Hb) Electrophoresis Kit

Analyte: Heparin

Test System, Assay, Examination

Instrumentation Laboratory IL ACL 300 Plus

Analyte: Plasminogen

Test System, Assay, Examination

American Diagnostica Actichrome PLG
Instrumentation Laboratory IL ACL 300 Plus
Instrumentation Laboratory IL ACL 810
Ortho Koagulab CTS

Analyte: Plasminogen Activator Inhibitor (PAI)

Test System, Assay, Examination

American Diagnostica Spectrolyse/Fibrin

Analyte: Platelet Count

Test System, Assay, Examination

Coulter Thrombocounter-C

Analyte: Protamine Rate Titration (PRT)

Test System, Assay, Examination

International Technidyne Hemochron 400
International Technidyne Hemochron 401
International Technidyne Hemochron 800
International Technidyne Hemochron 801

Analyte: Protein C

Test System, Assay, Examination

American Diagnostica Rellplate C
Biopool Protein C EID Kit
Instrumentation Laboratory IL ACL 300 Plus
LAbor CoaData 3000
Ortho Koagulab CTS

Analyte: Protein S

Test System, Assay, Examination

American Diagnostica Rellplate S

Analyte: Red Blood Cell Count (Erythrocyte Count) (RBC)

Test System, Assay, Examination

Coulter A
Coulter B
Coulter Counter Model A
Coulter D
Coulter F

Analyte: Semen

Test System, Assay, Examination

Sperm Penetration Assay

Analyte: Tissue Plasminogen Activator (t-PA)

Test System, Assay, Examination

American Diagnostica Spectrolyse/Fibrin

Analyte: White Blood Cell Count (Leukocyte Count) (WBC)

Test System, Assay, Examination

Coulter A
Coulter B
Coulter Counter Model A
Coulter D
Coulter F

Analyte: von Willebrand Factor

Test System, Assay, Examination

Biopool vWF EID Kit

SPECIALITY/SUBSPECIALITY: Immunohematology

Analyte: Fetal RBCs—Maternal Blood (Fetal-Maternal Bleed)

Test System, Assay, Examination

Sure-Tech Fetal Hemoglobin Kit

Speciality/Subspeciality: Parasitology

Analyte: Malarial Parasite

Test System, Assay, Examination

All Permanent Stain Preparations

SPECIALITY/SUBSPECIALITY: Toxicology / TDM

Analyte: Acetaminophen

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Amikacin

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Amphetamines

Test System, Assay, Examination

Ames OPTIMATE
Finnigan MAT Witness System

Analyte: Barbiturates

Test System, Assay, Examination

Ames OPTIMATE
Finnigan MAT Witness System

Analyte: Benzodiazepines

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Cannabinoids (THC)

Test System, Assay, Examination

Ames OPTIMATE
Finnigan MAT Witness System

Analyte: Carbamazepine

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Chloramphenicol

Test System, Assay, Examination

Syva Emit Test Kit

Analyte: Cocaine Metabolites

Test System, Assay, Examinationn

Ames OPTIMATE

Analyte: Cyclosporine

Test System, Assay, Examination

Incstar CYCLO-Trac SP

Analyte: Digitoxin

Test System, Assay, Examination

Clinical Assays GammaCoat

Analyte: Digoxin

Test System, Assay, Examination

Pointe Scientific 180 Chemistry Analyzer

Analyte: Disopyramide

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Ethanol (Alcohol)

Test System, Assay, Examination

Abbott Bichromatic ABA 200
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Electronucleonics FLEXIGEM
Sigma Diagnostics Test Kit

Analyte: Ethosuximide

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Gentamicin

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Kanamycin

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Methadone

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Methamphetamines

Test System, Assay, Examination

Finnigan MAT Witness System
Sigma SIA Methamphetamine/Amphetamine

Analyte: Methaqualone

Test System, Assay, Examination

Ames OPTIMATE

Analyte: N-Acetylprocainamide (NAPA)

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Netilmycin

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Opiates

Test System, Assay, Examination

Ames OPTIMATE
Finnigan MAT Witness System

Analyte: Phencyclidine (PCP)

Test System, Assay, Examination

Ames OPTIMATE
Finnigan MAT Witness System
STC Diagnostics PCP EIA Plate Kit

Analyte: Phenobarbital

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Clinical Assays GammaCoat

Analyte: Phenytoin

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Primidone

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Procainamide

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Propoxyphene

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Quinidine

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II

Analyte: Salicylates

Test System, Assay, Examination

Abbott Bichromatic ABA 100
Abbott Bichromatic ABA 200
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Sigma Diagnostics Test Kit

Analyte: Sisomicin

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Theophylline

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Pointe Scientific 180 Chemistry Analyzer

Analyte: Tobramycin

Test System, Assay, Examination

Ames OPTIMATE
Beckman Auto ICS
Beckman ICS
Beckman ICS II
Clinical Assays GammaCoat

Analyte: Tricyclic Antidepressants

Test System, Assay, Examination

Ames OPTIMATE

Analyte: Valproic Acid

Test System, Assay, Examination

Ames OPTIMATE

SPECIALITY/SUBSPECIALITY: Virology

Analyte: Cytomegalovirus

Test System, Assay, Examination

Baxter Bartels Direct CMV Kit (including cell culture)
Incstar CMV-vue

Analyte: Herpes simplex

Test System, Assay, Examination

Diagnostic Products Corp. PDx Herpes Typing (inc cell cult)

Analyte: Respiratory syncytial virus

Test System, Assay, Examination

Baxter Bartels RSV (FA) Test Kit (including cell culture)

Analyte: Respiratory viruses (Influenza A&B, parainfluenza)

Test System, Assay, Examination

Baxter Bartels Viral Respiratory Kit (including cell cult)

Compiled list of categorizations of laboratory test systems, assays and examinations by complexity as provided for in 42 CFR 493.17.

Note: Please note that in the following list, code numbers are attached to each analyte and test system. The four digit code preceding each analyte and the five digit code following each test system are unique identifiers developed by CDC to facilitate the data management process.

COMPLEXITY: Moderate

SPECIALITY/SUBSPECIALITY: Bacteriology

Analyte: (0412) Aerobic &/or Anaerobic Organisms—unlimited sources

Test System, Assay, Examination

All Direct Wet Mount Preparations(04108)
Becton Dickinson BACTEC 9240(07210)
Becton Dickinson BACTEC NR–660(07208)
Becton Dickinson BACTEC NR–730(07209)
Becton Dickinson BACTEC NR–860(07207)
Organon Teknika BacT/Alert(46095)
Vitek Systems Bac-T-Screen 2000 (bacteriuria)(67039)
Vitek Systems Bac-T-Screen 402A (bacteriuria)(67049)
Vitek Systems Bac-T-Screen 500 (bacteriuria)(67050)

Analyte: (0468) Aerobic Organisms from urine specimens only

Test System, Assay, Examination

Adams Scientific Selecticult-U (colony count only)(04248)
Analytab Uriscreen (bacteriuria)(04218)
BioClinical Systems Bullseye Urine Plate (colony count only)(07266)
BioClinical Systems Urine Screen (colony count only)(07259)
Culture Kits, Inc. Uri-Kit (colony count only)(10100)
Culture Kits, Inc. Uri-Three (colony count only)(10161)
Future Medical Tech. Intl. Qualture (colony count only)(19011)
Medical Technology Corp. Uricult (colony count only)(40053)
Meridian Diagnostics FiltraCheck UTI (bacteriuria)(40094)
Miles Diagnostic Labs MicroStix-3 ID (bacteriuria)(40115)
Miles Diagnostic Labs MicroStix-3 ID (colony count only)(40087)
SmithKline Isocult Cult. Test-Bacteriuria (colony ct only)(58141)
Solar Biologicals SOLAR-CULT (colony count only)(58228)
Troy Biologicals Bacti-Bio General Plate(colony count only)(61066)
Troy Biologicals Bacti-Star II Urine Sys.(colony cnt. only)(61035)
Troy Biologicals Bacti-Star Urine Plate (colony count only)(61023)
Troy Biologicals Bacti-Urine Plate (colony count only)(61022)
Troy Biologicals Uri-Check Plus (colony count only)(61024)
Troy Biologicals Uricheck (colony count only)(61034)
UTI-tect Bacteriuria Diag. Test System (colony count only)(64017)
Unipath Oxoid Dip-Slide (colony count only)(64018)
Ventrex Uriscreen (bacteriuria)(67012)
Wampole Bacturcult (colony count only)(70091)

Analyte: (0482) Aerobic/Anaerobic Organisms—Endocervical

Test System, Assay, Examination

All Gram Stain Procedures—Endocervical only(04421)

Analyte: (0477) Aerobic/Anaerobic Organisms—Urethral

Test System, Assay, Examination

All Gram Stain Procedures—Urethral Only(04111)

Analyte: (1016) Chlamydia

Test System, Assay, Examination

Kodak SureCell (direct antigen/visual)(34020)
Seradyn Vivid Chlamydia (direct antigen/visual)(58046)
Unipath Clearview Rapid Assay (direct antigen/visual)(64001)

Analyte: (1022) Clostridium difficile

Test System, Assay, Examination

Becton Dickinson Culturette CDT (direct antigen/visual)(07088)
Meridian Diagnostics Meritec-C. difficile (dir Ag/visual)(40066)
Vitek Systems Vidas (direct antigen)(67038)

Analyte: (2510) Haemophilus influenzae, type b

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis) (07096)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Vitek Systems SLIDEX Meningite-Kit 5 (dir antigen/visual) (67033)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)
Wellcome Wellcogen Bacterial Ag Kit (direct antigen/visual) (70097)

Analyte: (2512) Helicobacter pylori

Test System, Assay, Examination

Delta West CLOtest (13252)

Analyte: (4317) N. gonorrhoeae (from urogenital or rectal only)

Test System, Assay, Examination

All Presumpt. ID Using Select. Media, Oxidase, & Gm Stain (04438)

Analyte: (4302) Neisseria gonorrhoeae

Test System, Assay, Examination

Adams Scientific Selecticult-GC (non-confirmatory) (04250)
BioClinical Systems Gonopen Screen (07265)
Culture Kits, Inc. Goni-Kit (non-confirmatory) (10098)
Medical Technol.Corp.Biocult GC Cult.Paddles (non-confirm.) (40043)
SmithKline Isocult Combination Culture Test (58099)
SmithKline Isocult Diagnostic Culturing System (58200)
Troy Biologicals Bacti Gono Screen I (non-confirmatory) (61020)
Troy Biologicals Bacti Gono Screen II (non-confirmatory) (61021)

Analyte: (4303) Neisseria meningitidis (non-specific)

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)

Analyte: (4304) Neisseria meningitidis, group A

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis) (07096)
Becton Dickinson N. Meningitidis Test (direct antigen) (07356)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Vitek Systems SLIDEX Meningite-Kit 5 (dir antigen/visual) (67033)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)

Analyte: (4306) Neisseria meningitidis, group B

Test System, Assay, Examination

Karobio Phadebact CSF (direct antigen/visual) (34004)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)

Analyte: (4307) Neisseria meningitidis, group B and E. coli K1

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis) (07096)
Vitek Systems SLIDEX Meningite-Kit 5 (dir antigen/visual) (67033)
Wellcome Wellcogen Bacterial Ag Kit (direct antigen/visual) (70097)

Analyte: (4308) Neisseria meningitidis, group C

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen) (07356)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Vitek Systems SLIDEX Meningite-Kit 5 (dir antigen/visual) (67033)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)

Analyte: (4309) Neisseria meningitidis, group C and W135

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)

Analyte: (4311) Neisseria meningitidis, group W135

Test System, Assay, Examination

Becton Dickinson N. Meningitidis Test (direct antigen) (07356)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)
Wellcome Wellcogen Bact Ag Kit (Grp A,C,Y,W135) (d Ag/vis) (70033)

Analyte: (4312) Neisseria meningitidis, group Y

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis) (07096)
Becton Dickinson N. Meningitidis Test (direct antigen) (07356)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)

Analyte: (5802) Salmonella

Test System, Assay, Examination

Ampcor Dipstick Salmonella (including broth culture) (04164)

Analyte: (5807) Staphylococcus

Test System, Assay, Examination

Culture Kits, Inc. Staph-Kit (10143)
SmithKline Isocult Diagnostic Culturing System (58200)

Analyte: (5808) Streptococcus pneumoniae

Test System, Assay, Examination

Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual) (07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis) (07096)
Karobio Phadebact CSF (direct antigen/visual) (34004)
Vitek Systems SLIDEX Meningite-Kit 5 (dir antigen/visual) (67033)
Wampole Bactigen Meningitis Panel (direct antigen/visual) (70008)
Wellcome Wellcogen Bacterial Ag Kit (direct antigen/visual) (70097)

Analyte: (5810) Streptococcus, group A

Test System, Assay, Examination

Abbott TestPack Plus Strep A (direct antigen/visual) (04482)
Abbott TestPack Strep A (direct antigen/visual) (04078)
Access Medical Systems ImmunoCLONE (direct Ag/visual) (04311)
Adams Scientific Selecticult-Strep (hemolysis only) (04249)
Antibodies Inc. Detect-A-Strep (direct antigen/visual) (04223)
Baxter MicroScan Cards (direct antigen/visual) (07043)
Baxter MicroScan Cards O.S. (direct antigen/visual) (07206)
Becton Dickinson Culturette Group A Strep (dir Ag/visual) (07089)
Becton Dickinson Directigen 1–2–3 Group A Strep (dirAg/vis) (07091)
Becton Dickinson Directigen Group A Strep (dir Ag/visual) (07093)
Becton Dickinson QTest Strep (direct antigen/visual) (07103)
Binax Equate Strep A (direct antigen/visual) (07127)
BioClinical Systems Strep Screen Kit (hemolysis only) (07264)
BioStar Strep A OIA (direct antigen/visual) (07248)
Ciba Corning Biotrack Strep A (direct antigen/visual) (10167)
Culture Kits, Inc. Strep-Kit (hemolysis/bacitracin) (10099)
Diagnostic Products Corp. PathoDx Strep A (dir Ag/visual) (13038)
Disease Detection International ImmunoCLONE (dir Ag/visual) (13123)
Hybritech Concise Strep A (direct antigen/visual) (25017)
Hybritech Icon Strep A (direct antigen/visual) (25020)
Karobio Phadirect Strep A Test (direct antigen/visual) (34009)
Kodak SureCell (direct antigen/visual) (34020)
Leeco Diagnostics Preview Strep A (direct antigen/visual) (37010)
Medical Technology Corp. OPTITEC Strep A (dir Ag/visual) (40047)
Medical Technology Corp. Respiracult-Strep (hemolysis only) (40049)
Medical Technology Corp. Respiralex (dir Ag/visual) (40051)
Medix Biotech Sure-Strep A (direct antigen/visual) (40056)
Meridian Diagnostics Immunocard (direct antigen/visual)(40063)
New Horizons Smart (direct antigen/visual)(43005)
New Horizons Streptogen (direct antigen/visual)(43006)
Pacific Biotech Cards O.S. Strep A (direct antigen/visual)(49003)
Pacific Biotech Cards Strep A (direct antigen/visual)(49004)
Quidel Group A Strep Test (direct antigen/visual)(52010)
SmithKline Isocult Diag. Culturing System (hemolysis only)(58094)
Troy Biologicals Bacti Strep Screen (hemolysis/bacitracin)(61025)
Unipath Clearview Strep A (direct antigen/visual)(64002)
V-Tech Target Strep A (direct antigen/visual)(67006)
V-Tech V-Trend Strep A (direct antigen/visual)(67010)
Ventrex Ventrescreen (direct antigen/visual)(67014)
Wampole Bactigen Group A Strep (direct antigen/visual)(70003)
Wellcome Reveal Colour Strep A (direct antigen/visual)(70024)

Analyte: (5828) Streptococcus, group A (from throat only)

Test System, Assay, Examination

All Presumpt. ID w/Selective Media, Hemolysis & Bacitracin(04439)

Analyte: (5811) Streptococcus, group B

Test System, Assay, Examination

Becton Dickinson Directigen Group B Strep (dir Ag/visual)(07094)
Becton Dickinson Drtgen Meningitis Combo Kit (dirAg/visual)(07095)
Becton Dickinson Drtgen Meningitis Individ.Kit (dirAg/vis)(07096)
Binax Equate Strep B (direct antigen/visual)(07129)
Hybritech Icon Strep B (direct antigen/visual)(25021)
Karobio Phadebact CSF (direct antigen/visual)(34004)
Pacific Biotech Cards O.S. Strep B (direct antigen/visual)(49081)
Quidel Group B Strep Test (direct antigen/visual)(52011)
Wampole Bactigen Group B Strep (direct antigen/visual)(70004)
Wampole Bactigen Group B Strep-CS (direct antigen/visual)(70006)
Wampole Bactigen Group B Strep-CS (including broth culture)(70005)
Wellcome Wellcogen Bacterial Ag Kit (direct antigen/visual)(70097)

Analyte: (6127) Treponema pallidum

Test System, Assay, Examination

All Darkfield Examinations(04265)

SPECIALITY/SUBSPECIALITY: General Chemistry

Analyte: (0105) 5'Nucleotidase

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0101) 5-Hydroxyindolacetic Acid, Urine (5–HIAA)

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (0480) Acetoacetate

Test System, Assay, Examination

Roche Cobas FARA II(55041)

Analyte: (0476) Acetylcholine/choline

Test System, Assay, Examination

Olympus Reply/AU560(46129)

Analyte: (0407) Acid Phosphatase

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0404) Alanine Aminotransferase (ALT) (SGPT)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS–X(07069)
Beckman Synchron AS–Xe(07172)
Beckman Synchron AS–Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0414) Albumin

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)

Behring Turbitimer(07274)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sanofi/Kallestad QM 300(58169)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon DPA–1(61041)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0415) Aldolase

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Roche Cobas FARA II(55041)

Analyte: (0416) Alkaline Phosphatase (ALP)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
S Uni-Fast System Analyzer(58193)
S Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0464) Alpha-2–HS-Glycoprotein

Test System, Assay, Examination

Roche Cobas FARA II(55041)

Analyte: (0424) Alpha-Fetoprotein—Tumor Marker

Test System, Assay, Examination

TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (0419) Alpha-Hydroxybutyrate Dehydrogenase (HBDH)

Test System, Assay, Examination

Abbott Spectrum(04067)

Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0427)Ammonia, Plasma/Serum

Test System, Assay, Examination:

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 570 Alliance(10039)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
RocheCobas Bio(55100)
RocheCobas FARA(55040)
RocheCobas FARA II(55041)
RocheCobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0429)Amylase

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte:(0481)Angiotensin Converting Enzyme (ACE)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)

Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Ciba Corning 550 Express(10038)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0462)Apolipoprotein A1

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Isolab API Apolipoprotein Analyzer(28192)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sanofi/Kallestad QM 300(58169)
Technicon Assist(61002)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0457) Apolipoprotein B

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Isolab API Apolipoprotein Analyzer(28192)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sanofi/Kallestad QM 300(58169)
Technicon Assist(61002)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0405) Aspartate Aminotransferase (AST) (SGOT)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)

Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0722) Beta-Hydroxybutyrate

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0704) Bilirubin, Direct

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0705) Bilirubin, Neonatal

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
Advanced Instruments Bilirubin STAT Analyzer(04095)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Cambridge Instruments Unistat Bilirubinometer(10183)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Roche Cobas FARA II(55041)
Wako Bilirubin Tester(70120)

Analyte: (0706) Bilirubin, Total

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)

Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Biodynamics Unimeter 250(07254)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (0708) Blood Gases with pH

Test System, Assay, Examination

AVL 940(04010)
AVL 945(04011)
AVL 947(04304)
AVL 990(04019)
AVL 995(04020)
AVL 995 Hb(04021)
Ciba Corning 170(10033)
Ciba Corning 178(10034)
Ciba Corning 238 pH/Blood Gas Analyzer(10164)
Ciba Corning 278(10035)
Ciba Corning 280(10036)
Ciba Corning 288(10037)
Instrumentation Laboratory BG3(28154)
Instrumentation Laboratory BGElectrolytes(28063)
Instrumentation Laboratory IL 1301(28064)
Instrumentation Laboratory IL 1302(28065)
Instrumentation Laboratory IL 1303(28066)
Instrumentation Laboratory IL 1304(28067)
Instrumentation Laboratory IL 1306(28068)
Instrumentation Laboratory IL 1310(28193)
Instrumentation Laboratory IL 1312(28069)
Instrumentation Laboratory IL 813(28072)
Mallinckrodt GEM-STAT(40125)
Mallinckrodt Gem 6 Plus(40002)
Mallinckrodt Gem Premier(40003)
Nova Stat Profile 1(43029)
Nova Stat Profile 2(43030)
Nova Stat Profile 3(43031)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
PPG Industries StatPal Blood Gas Analysis System(49015)
Radiometer ABL 1(55049)
Radiometer ABL 2(55001)
Radiometer ABL 2 RA(55050)
Radiometer ABL 3(55002)
Radiometer ABL 3 M(55051)
Radiometer ABL 30(55003)
Radiometer ABL 300(55004)
Radiometer ABL 330(55005)
Radiometer ABL 4(55006)
Radiometer ABL 50(55104)
Radiometer ABL 500(55052)
Radiometer ABL 505(55053)
Radiometer ABL 510(55054)
Radiometer ABL 520(55055)

Analyte: (0721) Blood pH (no blood gases)

Test System, Assay, Examination

Corometrics 220 pH System(10175)

Analyte: (1001) C-Reactive Protein (CRP)

Test System, Assay, Examination

Roche Cobas Bio(55100)

Analyte: (1004) Calcium, Ionized

Test System, Assay, Examination

AMDEV Lytening 6 Instant ISE(04347)
AMDEV Lytening 6R Instant ISE(04349)
AVL 9140(04305)
AVL 984–S(04014)
AVL 987–S(04018)
Baxter Lytening Systems 32(07306)
Beckman LABLYTE 820(07067)
Ciba Corning 288(10037)
Ciba Corning 634(10042)
Coulter FLEXLYTE 3(10071)
Coulter FLEXLYTE 6(10072)
Instrumentation Laboratory BGElectrolytes(28063)
Mallinckrodt GEM-STAT(40125)
Mallinckrodt Gem 6 Plus(40002)
Mallinckrodt Gem Premier(40003)
Nova 2(43016)
Nova 6(43020)
Nova 7(43021)
Nova 8(43022)
Nova Nucleus(43028)
Nova Stat Profile 1(43029)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Nova Stat Profile 8(43036)
Pointe Scientific Ionetics Model 330(49062)
Radiometer ABL 505(55053)
Radiometer ICA1 Ionized Calcium Analyzer(55083)
Radiometer ICA2 Ionized Calcium Analyzer(55082)

Analyte: (1005) Calcium, Total

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)

Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman E2A(07060)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman Synchron EL-ISE(07074)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express (10038)
Ciba Corning 570 Alliance (10039)
Ciba Corning 580 Alliance (10040)
Coulter Dacos (10106)
Coulter Dacos XL (10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA (13082)
Du Pont ACA II (13172)
Du Pont ACA III (13173)
Du Pont ACA IV (13083)
Du Pont ACA V (13084)
Du Pont Analyst (13085)
Du Pont Dimension (13086)
Du Pont Dimension AR (13087)
Du Pont Dimension ES (13215)
EM Diagnostic Systems EASY PLUS (16016)
EM Diagnostic Systems EASY ST (16017)
EM Diagnostic Systems EPOS (16015)
Electronucleonics Gem-Profiler (16004)
Electronucleonics Gemini (16005)
Electronucleonics Gemstar (16006)
Electronucleonics Gemstar II (16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Insurumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix (28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module (34017)
Nova 10(43011)
Nova 7(43021)
Nova 9(43023)
Nova Nucleus (43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Precision Systems Calcette (49060)
Roche Cobas Bio (55100)
Roche Cobas FARA (55040)
Roche Cobas FARA II (55041)
Roche Cobas Mira (55044)
Roche Cobas Mira Plus (55096)
Roche Cobas Mira S (55045)
Roche Cobas Ready (55046)
Sclavo Uni-Fast System Analyzer (58193)
Sclavo Uni-Fast2 System Analyzer (58194)
Technicon AXON (61001)
Technicon Assist (61002)
Technicon Chem 1 (61003)
Technicon DAX 24 (61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1003) Carbon Dioxide, Total (CO_2)

Test System, Assay, Examination

AVL 986–S(04017)
Abbott Spectrum (04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II (04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Chloride/CO_2 Analyzer(07171)
Beckman E4A(07061)
Beckman Synchron AS–X(07069)
Beckman Synchron AS–Xe(07172)
Beckman Synchron AS–Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman Synchron EL–ISE(07074)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Ciba Corning 664 FAST 4(10045)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DTE Module(34018)
Nova 12(43013)
Nova 12 (with CRT)(43049)
Nova 3(43017)
Nova 4(43018)
Nova 4 (with CRT)(43046)
Nova Nucleus(43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)

Technicon DAX 96(61007)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1012) Carboxyhemoglobin

Test System, Assay, Examination

AVL 912(04009)
Ciba Corning 2500 CO-oximeter(10162)
Ciba Corning 270 CO-oximeter(10163)
Instrumentation Laboratory IL 282(28189)
Instrumentation Laboratory IL 482(28151)
Radiometer ABL 520(55055)
Radiometer OSM 2(55058)
Radiometer OSM 3(55059)

Analyte: (1014) Cerebrospinal Fluid Protein [CSF]

Test System, Assay, Examination

Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 800(46110)

Analyte: (1018) Chloride

Test System, Assay, Examination

AMDEV Lytening 5 Instant ISE(04346)
AVL 9130(04237)
AVL 983–S(04013)
AVL 986–S(04017)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter CLiNaK ISE Module(07185)
Baxter Lytening Systems 30(07305)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Chloride/CO2 Analyzer(07171)
Beckman E4A(07061)
Beckman LABLYTE 810(07066)
Beckman Synchron AS–X(07069)
Beckman Synchron AS–Xe(07172)
Beckman Synchron AS–Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman Synchron EL–ISE(07074)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Bio-Chem Laboratory Systems ATAC ISE(07190)
Bio-Chem Laboratory Systems ATAC ISE Plus(07191)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 288(10037)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Ciba Corning 644(10043)
Ciba Corning 664 FAST 4(10045)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter FLEXLYTE 3(10071)
Coulter FLEXLYTE 6(10072)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
I-STAT i-STAT Portable Clinical Analyzer(28186)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DTE Module(34018)
Medica EasyLyte Plus Ion Selective Analyzer(40033)
Nova 10(43011)
Nova 12(43013)
Nova 12(with CRT)(43049)
Nova 13(43014)
Nova 13(with CRT)(43050)
Nova 14(43015)
Nova 14(with CRT)(43051)
Nova 3(43017)
Nova 4(43018)
Nova 4(with CRT)(43046)
Nova 5(43019)
Nova 5(with CRT)(43047)
Nova Nucleus(43028)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Radiometer ABL 505(55053)
Radiometer CMT10 Chloride Titrator(55081)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1020) Cholesterol

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)

Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim ProAct System(07196)
Boehringer Mannheim Reflotron(07167)
Boehringer Mannheim Reflotron Plus(07168)
Chematics CHEMCARD Cholesterol Test (wheel)(10204)
Chematics CHEMCARD Cholesterol Test (window)(10203)
ChemTrak Accumeter(10165)
Cholestech L.D.X. Lipid Analyzer(10170)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Cirrus Diagnostics CRP (Cardiac Risk Profiler)(10160)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Enzymatics Q.E.D. Total Cholesterol Test(16014)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Medical Technology Corp. QuikRead(40113)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1021) Cholinesterase

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira Plus(55096)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1053) Cholyglycine (Bile Acids)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Ciba Corning 550 Express(10038)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas Mira Plus(55096)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1032) Cortisol

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Boehringer Mannheim ES 300(07160)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
EM Diagnostic Systems EPOS(16015)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1033) Cortisol, Urine

Test System, Assay, Examination

Abbott TDX FLx(04072)

Analyte: (1034) Creatine Kinase (CK)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)

American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DateChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1002) Creatine Kinase MB Fraction [CKMB]

Test System, Assay, Examination

Abbott IMX(04056)
Abbott Spectrum(04067)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning ACS 180(10046)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA III with aca plus Immunoassay System(13253)
Du Pont ACA IV(13083)
Du Pont ACA IV with aca plus Immunoassay System(13254)
Du Pont ACA V(13084)
Du Pont ACA V with aca plus Immunoassay System(13255)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Hybritech ICON QSR CKMB(25018)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5131(46088)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon AXON (61001)
Technicon Assist(61002)
V-Tech Target CK-MB(67067)

Analyte: (1035) Creatinine

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Creatinine Analyzer(Original Model)(07058)
Beckman Creatinine Analyzer 2(07059)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)

Beckman Synchron CX 3(07070)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron(07167)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL 919(28185)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Kodak Ektachem DT SC Module(34017)
Nova Nucleus(43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012) Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (1605) Estradiol

Test System, Assay, Examination

Abbott IMX(04056)
Boehringer Mannheim ES 300(07160)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)

Analyte: (1606) Estriol—Total

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Roche Cobas Mira Plus(55096)

Analyte: (1607) Estriol—Unconjugated

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (1902) Ferritin

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (1907) Folate (Folic Acid)

Test System, Assay, Examination

Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Ciba Corning ACS 180(10046)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)

Analyte: (1908) Follicle Stimulating Hormone (FSH)

Test System, Assay, Examination

Abbott IMX(04056)
Abbott IMX Select(04229)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
PB Diagnostics Systems OPUS(49001)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (1914) Fructosamine

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA XT(61013)

Analyte: (2201) Gamma Glutamyl Transferase (GGT)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)

BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Decos(10106)
Coulter Decos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (2211) Gastric Occult Blood With pH

Test System, Assay, Examination

SmithKline Gastroccult(58217)

Analyte: (2203) Glucose

Test System, Assay, Examination

APEC Glucose Analyzer(04370)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04068)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Glucometer ENCORE QA Blood Glucose Meter(04423)
Ames Glucometer QA Blood Glucose Meter(04422)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07046)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Glucose Analyzer (Original Model)(07063)
Beckman Glucose Analyzer 2(07064)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman System One(07175)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron(07167)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Decos(10106)
Coulter Decos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC-100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
HemoCue B-Glucose System(25112)
I-STAT i-STAT Portable Clinical Analyzer(28186)
Instrumentation Laboratory IL 919(28185)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
MediSense Satellite G(40119)
Nova 12(43013)
Nova 12 (with CRT)(43049)
Nova 14(43015)
Nova 14 (with CRT)(43051)
Nova Nucleus(43028)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)

Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)
Yellow Springs YSI Model 1500(76002)
Yellow Springs YSI Model 2300(76004)

Analyte: (2208) Glucose-6-Phosphate Dehydrogenase (G–6–PDH)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Ciba Corning 550 Express(10038)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (2204) Glycosylated Hemoglobin (Hgb A1C)

Test System, Assay, Examination

Abbott Vision(04083)
Ames DCA 2000 Analyzer(04303)
Bio-Rad Diamat Analyzer(07276)
Chembio Auto-Glyco-Sep/A1C jr(10176)
Ciba Corning Model 765 Glycomat(10210)
DataChem DC–100(13213)
Drew Scientific Glycomat Haemoglobin Analyzer(13260)
Helena Laboratories ColumnMate(25114)
Seradyn Glycotrak(58159)

Analyte: (2501) HCG, Serum, Qualitative

Test System, Assay, Examination

Abbott TestPack HCG-combo(04074)
Access Medical Systems ImmunoCLONE (direct Ag/visual)(04311)
Ampcor QuikDIP Pregnancy(04295)
Becton Dickinson Directigen 1–2–3 hCG(07269)
Becton Dickinson QTest Pregnancy Combo(07270)
Bio-Rad Quantimune(07141)
Biomerica Nimbus(07152)
Chembio HCG-STAT-PAK(10199)
Disease Detection International ImmunoCard hCG Test(13211)
Hybritech ICON II HCG (urine/serum)(25127)
Hybritech Tandem ICON II (urine/serum)(25019)
Kodak SureCell hCG—Urine/Serum(34038)
Leeco Diagnostics Preview Serum/Urine-hCG(37030)
Medical Technology Corp. OPTITEC HCG(40116)
Medix Biotech HCG Visual Pregnancy (5/5) Test Kit(40133)
Medix Biotech Visual hCG-M Pregnancy Test(40132)
Meridian Diagnostics Immunocard Test(40064)
Pacific Biotech Beta Quik Stat(49051)
Pacific Biotech Cards HCG-Serum/Urine(49052)
Syntron Bioresearch Microcheck HCG(58219)
Syntron Bioresearch Quikpac Pregnancy Test(58218)
V-Tech Target HCG(67066)
Wampole One-Step HCG(70074)

Analyte: (2502) HCG, Serum, Quantitative

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
BioAutoMed ASCA(07192)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
Du Pont ACA III with aca plus Immunoassay System(13253)
Du Pont ACA IV with aca plus Immunoassay System(13254)
Du Pont ACA V with aca plus Immunoassay System(13255)
PB Diagnostics Systems OPUS(49001)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (2503) HCG, Urine, Qualitative (Non-Waived Procedures)

Test System, Assay, Examination

Ampcor Monoclonal Pregnancy beta-HCG Liquid Card Test(04298)
Ampcor Quik-Dot Pregnancy beta-HCG Dry Card Test(04296)
Bio-Rad Quantimune(07141)
Biomerica Nimbus(07152)
Carter Products ANSWER Pregnancy Test(10174)
Medix Biotech HCG Visual Pregnancy (5/5) Test Kit(40133)
Medix Biotech Visual hCG-M Pregnancy Test(40132)
NCS Pregnancy Latex Slide Test(43052)
Organon Teknika Pregnosticon Dri-Dot(46119)
Pacific Biotech Beta Quik Stat(49051)
Roche Pregnosis(55048)
Stanbio Fertitell Pregnancy Slide Test(58166)
Stanbio Fertiter Pregnancy Slide Test(58120)
Stanbio QuickTell(58121)
Syntron Bioresearch Microcheck HCG(58219)
Wampole UCG–BETA SLIDE MONOCLONAL II(70132)
Wampole UCG–BETA Stat(70131)
Wampole UCG–SLIDE TEST(70133)

Analyte: (2534) HCG, Urine, Quantitative

Test System, Assay, Examination

Wampole UCG–BETA Stat(70131)

Analyte: (2543) HCG, Whole Blood, Qualitative

Test System, Assay, Examination

Bio-Rad Quantimune(07141)
Pacific Biotech Beta Quik Stat(49051)

Analyte: (2550) HDL Cholesterol

Test System, Assay, Examination

Abbott Vision, Whole Blood HDL Procedure(04243)
Ames Seralyzer III(04155)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Cholestech L.D.X. Lipid Analyzer(10170)
Cirrus Diagnostics CRP (Cardiac Risk Profiler)(10160)
Du Pont Analyst(13085)
EM Diagnostic Systems EASY PLUS (auto. sample pretreatment)(16022)
EM Diagnostic Systems EASY ST (auto. sample pretreatment)(16025)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Medical Technology Corp. QuikRead(40113)

Analyte: (2547) Human Growth Hormone (GH)

Test System, Assay, Examination

TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (2812) Insulin

Test System, Assay, Examination

Abbott IMX(04056)
Boehringer Mannheim ES 300(07160)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (2814) Iron

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)

American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (2823) Iron Binding Capacity, Unsat. (UIBC) No Pretreat.

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)

Analyte: (2820) Isocitric Dehydrogenase

Test System, Assay, Examination

Abbott VP(04082)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)

Analyte: (3403) Ketone, Blood

Test System, Assay, Examination

Ames ACETEST(04381)
GDS Diagnostics Stat-Site Meter(22126)

Analyte: (3701) Lactate Dehydrogenase [LDH]

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)

Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (3702) Lactate Dehydrogenase Heart Fraction (LDH–1)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus AU 5000(46001)
Olympus AU 5131(46088)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (3703) Lactate Dehydrogenase Liver Fraction (LLDH)

Test System, Assay, Examination

Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)

Analyte: (3704) Lactic Acid (Lactate)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Nova Stat Profile 7(43035)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Yellow Springs YSI Model 1500 Sport(76003)
Yellow Springs YSI Model 2300(76004)
Yellow Springs YSI Model 2372(76005)

Analyte: (3709) Leucine Aminopeptidase (LAP)

Test System, Assay, Examination

Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 705(07162)
Instrumentation Laboratory IL Monarch Plus(28083)

Analyte: (3711) Lipase

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Baxter Paramax(07048)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)

Analyte: (3712) Lithium

Test System, Assay, Examination

AMDEV Lytening 2 Instant ISE(04348)
AMDEV Lytening 2z Instant ISE(04345)
AVL 985–S(04015)
AVL 985–S1(04016)
Abbott TDX FLx(04072)
Amdev ISE Analyzer(04136)
Baxter CLiNaK ISE Module(07185)
Baxter Lytening Systems 31(07304)
Baxter Paramax(07048)
Baxter Paramax 720(07186)

Baxter Paramax 720 ZX(07049)
Beckman LABLYTE 830(07068)
Beckman Synchron EL-ISE(07074)
Ciba Corning 480(10173)
Ciba Corning 654(10044)
Coulter FLEXLYTE 3(10071)
Coulter FLEXLYTE 6(10072)
Du Pont Na, K, Li Analyzer(13090)
Instrumentation Laboratory IL 943(28190)
Medica EasyLyte Lithium(40130)
Nova 11(43012)
Nova 11 (with CRT)(43048)
Nova 13(43014)
Nova 13 (with CRT)(43050)
Nova 4(43018)
Nova 4 (with CRT)(43046)
Nova Nucleus(43028)

Analyte: (3713) Luteinizing Hormone (LH)

Test System, Assay, Examination

Abbott IMX(04056)
Abbott IMX Select(04229)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
PB Diagnostics Systems OPUS(49001)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (4002) Magnesium

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Nova 6(43020)
Nova Nucleus(43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (4018) Magnesium, Ionized

Test System, Assay, Examination

Nova Stat Profile 8(43036)

Analyte: (4019) Microalbumin

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Technicon RA 1000(61010)

Analyte: (4026) Microprotein, CSF

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/ 2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory Multistat III(28183)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4027) Microprotein, Urine

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)

Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory Multistat III(28183)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4023) Myoglobin

Test System, Assay, Examination

Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
PB Diagnostics Systems OPUS(49001)

Analyte: (4602) Osmolality, Serum

Test System, Assay, Examination

Advanced Instruments 3M0 Micro-Osmometer(04315)
Advanced Instruments Cryomatic 3C2 Osmometer(04314)
Advanced Instruments DigiMatic 3D2 Osmometer(04097)
Advanced Instruments Wide Range Osmometer 3W2(04330)
Fiske 2400 Osmometer(19008)
Precision Systems Cryette WR(49053)
Precision Systems Micro uOsmette(49059)
Precision Systems Multi-Osmette(49054)
Precision Systems Osmette(49058)
Precision Systems Osmette A(49056)
Precision Systems Osmette II(49055)
Precision Systems Osmette S(49057)
Wescor 5500 Vapor Pressure Osmometer(70037)
Wescor 5500XR Vapor Pressure Osmometer(70094)
Wescor Colloid Osmometer Model 4100(70096)
Wescor Colloid Osmometer Model 4400(70095)
Wescor Colloid Osmometer Model 4420(70036)

Analyte: (4603) Osmolality, Urine

Test System, Assay, Examination

Advanced Instruments 3M0 Micro-Osmometer(04315)
Advanced Instruments Cryomatic 3C2 Osmometer(04314)
Advanced Instruments DigiMatic 3D2 Osmometer(04097)
Advanced Instruments Wide Range Osmometer 3W2(04330)
Fiske 2400 Osmometer(19008)
Precision Systems Cryette WR(49053)
Precision Systems Micro uOsmette(49059)
Precision Systems Multi-Osmette(49054)
Precision Systems Osmette(49058)
Precision Systems Osmette A(49056)
Precision Systems Osmette II(49055)
Precision Systems Osmette S(49057)
Wescor 5500 Vapor Pressure Osmometer(70037)
Wescor 5500XR Vapor Pressure Osmometer(70094)
Wescor Colloid Osmometer Model 4100(70096)
Wescor Colloid Osmometer Model 4400(70095)
Wescor Colloid Osmometer Model 4420(70036)

Analyte: (4604) Oxyhemoglobin/Oxygen Saturation

Test System, Assay, Examination

AVL 912(04009)
AVL 995 Hb(04021)
Ciba Corning 2500 CO-oximeter(10162)
Ciba Corning 270 CO-oximeter(10163)
Instrumentation Laboratory IL 282(28189)
Instrumentation Laboratory IL 382(28212)
Instrumentation Laboratory IL 482(28151)
Radiometer ABL 520(55055)
Radiometer OSM 2(55058)
Radiometer OSM 3(55059)
Waters Instruments Oxicom 2000(70121)
Waters Instruments Oxicom 2100(70130)
Waters Instruments Oxicom 3000(70075)

Analyte: (4905) Phosphatidylglycerol (PG)—Amniotic Fluid

Test System, Assay, Examination

Irvine Scientific AmnioStat—FLM(28085)

Analyte: (4906) Phosphorus

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)

Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (4910) Potassium

Test System, Assay, Examination

AMDEV Lytening 1 Instant ISE(04344)
AMDEV Lytening 2 Instant ISE(04348)
AMDEV Lytening 2z Instant ISE(04345)
AMDEV Lytening 5 Instant ISE(04346)
AMDEV Lytening 6 Instant ISE(04347)
AMDEV Lytening 6R Instant ISE(04349)
AVL 9120(04236)
AVL 9130(04237)
AVL 9140(04305)
AVL 982–S(04012)
AVL 983–S(04013)
AVL 984–S(04014)
AVL 985–S(04015)
AVL 986–S(04017)
AVL 987–S(04018)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
Amdev ISE Analyzer(04136)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baker Ana-Lyte +1(07021)
Baker Ana-Lyte +2(07022)
Baxter CLiNaK ISE Module(07185)
Baxter Lytening Systems 20(07303)
Baxter Lytening Systems 30(07305)
Baxter Lytening Systems 31(07304)
Baxter Lytening Systems 32(07306)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman E2A(07060)
Beckman E4A(07061)
Beckman LABLYTE 800(07065)
Beckman LABLYTE 810(07066)
Beckman LABLYTE 820(07067)
Beckman LABLYTE 830(07068)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman Synchron EL-ISE(07074)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC ISE(07190)
Bio-Chem Laboratory Systems ATAC ISE Plus(07191)
Boehringer Mannheim Biodynamics Unimeter 250(07254)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 288(10037)
Ciba Corning 480(10173)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Ciba Corning 614(10041)
Ciba Corning 644(10043)
Ciba Corning 654(10044)
Ciba Corning 664 FAST 4(10045)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter FLEXLYTE 3(10071)
Coulter FLEXLYTE 6(10072)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
Du Pont Na, K, Li Analyzer(13090)
EM Diagnostic Systems EASY ST(16017)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Electronucleonics Starlyte II(16009)
I-STAT i-STAT Portable Clinical Analyzer(28186)
Instrumentation Laboratory BGElectrolytes(28063)
Instrumentation Laboratory IL 501(28070)
Instrumentation Laboratory IL 502(28071)
Instrumentation Laboratory IL 943(28190)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DTE Module(34018)
Liston ECS 2000(37036) Mallinckrodt GEM-STAT(40125)
Mallinckrodt Gem 6 Plus(40002)
Mallinckrodt Gem Premier(40003)
MedTest Systems Medisensor 2001(40120)
Medica EasyLyte Ion Selective Analyzer(40032)
Medica EasyLyte Lithium(40130)
Medica EasyLyte Plus Ion Selective Analyzer(40033)
Nova 1(43010)
Nova 1 (with CRT)(43045)
Nova 10(43011)
Nova 11(43012)
Nova 11 (with CRT)(43048)
Nova 12(43013)
Nova 12 (with CRT)(43049)
Nova 13(43014)
Nova 13 (with CRT)(43050)
Nova 14(43015)
Nova 14 (with CRT)(43051)
Nova 4(43018)
Nova 4 (with CRT)(43046)
Nova 5(43019)
Nova 5 (with CRT)(43047)
Nova 6(43020)
Nova 9(43023)
Nova Nucleus(43028)
Nova Stat Profile 1(43029)
Nova Stat Profile 2(43030)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Nova Stat Profile 8(43036)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Orion Model 1020 Na/K Analyzer(46120)
Pointe Scientific Ionetics Electrolyte Analyzer II(49063)
Pointe Scientific Ionetics Model 310(49061)
Radiometer ABL 4(55006)
Radiometer ABL 505(55053)
Radiometer KNA 1(55056)
Radiometer KNA 2(55057)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Seragen Quick-Lyte K/Na(58192)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (4914) Progesterone

Test System, Assay, Examination

Abbott IMX(04056)
Becton Dickinson Affinity(07075)
Boehringer Mannheim ES 300(07160)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)

Analyte: (4915) Prolactin

Test System, Assay, Examination

Abbott IMX(04056)
Abbott IMX Select(04229)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
PB Diagnostics Systems OPUS(49001)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (4918) Prostatic Acid Phosphatase (PAP)

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
BioAutoMed ASCA(07192)
Instrumentation Laboratory IL Monarch Plus(28083)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (4921) Protein, Total

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Nova Nucleus(43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Reichert TS Meter(55071)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (4923) Pseudocholinesterase

Test System, Assay, Examination

Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)

Analyte: (4941) Pyruvate

Test System, Assay, Examination

Roche Cobas Bio(55100)
Roche Cobas FARA(55040)

Analyte: (5507) Retinol binding protein

Test System, Assay, Examination

Behring Nephelometer(07273)
Behring Nephelometer 100(07272)

Analyte: (5805) Sodium

Test System, Assay, Examination

AMDEV Lytening 1 Instant ISE(04344)
AMDEV Lytening 2 Instant ISE(04348)
AMDEV Lytening 2z Instant ISE(04345)
AMDEV Lytening 5 Instant ISE(04346)
AMDEV Lytening 6 Instant ISE(04347)
AMDEV Lytening 6R Instant ISE(04349)
AVL 9120(04236)
AVL 9130(04237)
AVL 9140(04305)
AVL 982–S(04012)
AVL 983–S(04013)
AVL 984–S(04014)
AVL 985–S(04015)
AVL 986–S(04017)
AVL 987–S(04018)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott VP(04082)
Amdev ISE Analyzer(04136)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Baker Ana-Lyte +1(07021)
Baker Ana-Lyte +2(07022)
Baxter CLiNaK ISE Module(07185)
Baxter Lytening Systems 20(07303)
Baxter Lytening Systems 30(07305)
Baxter Lytening Systems 31(07304)
Baxter Lytening Systems 32(07306)
Baxter Paramax(07048)
Baxter Paramax 720(07186)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman E2A(07060)
Beckman E4A(07061)
Beckman LABLYTE 800(07065)
Beckman LABLYTE 810(07066)

Beckman LABLYTE 820(07067)
Beckman LABLYTE 830(07068)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman Synchron EL-ISE(07074)
Bio-Chem Laboratory Systems ATAC ISE(07190)
Bio-Chem Laboratory Systems ATAC ISE Plus(07191)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 288(10037)
Ciba Corning 480(10173)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Ciba Corning 614(10041)
Ciba Corning 644(10043)
Ciba Corning 654(10044)
Ciba Corning 664 FAST 4(10045)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter FLEXLYTE 3(10071)
Coulter FLEXLYTE 6(10072)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
Du Pont Na, K, Li Analyzer(13090)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Electronucleonics Starlyte II(16009)
I-STAT i-STAT Portable Clinical Analyzer(28186)
Instrumentation Laboratory BGElectrolytes(28063)
Instrumentation Laboratory IL 501(28070)
Instrumentation Laboratory IL 502(28071)
Instrumentation Laboratory IL 943(28190)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DTE Module(34018)
Liston ECS 2000(37036)
Mallinckrodt GEM-STAT(40125)
Mallinckrodt Gem Premier(40003)
MedTest Systems Medisensor 2001(40120)
Medica EasyLyte Ion Selective Analyzer(40032)
Medica EasyLyte Lithium(40130)
Medica EasyLyte Plus Ion Selective Analyzer(40033)
Nova 1(43010)
Nova 1 (with CRT)(43045)
Nova 10(43011)
Nova 11(43012)
Nova 11 (with CRT)(43048)
Nova 12(43013)
Nova 12 (with CRT)(43049)
Nova 13(43014)
Nova 13 (with CRT)(43050)
Nova 14(43015)
Nova 14 (with CRT)(43051)
Nova 4(43018)
Nova 4 (with CRT)(43046)
Nova 5(43019)
Nova 5 (with CRT)(43047)
Nova 6(43020)
Nova 9(43023)
Nova Nucleus(43028)
Nova Stat Profile 1(43029)
Nova Stat Profile 2(43030)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Nova Stat Profile 8(43036)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Orion Model 1020 Na/K Analyzer(46120)
Pointe Scientific Ionetics Electrolyte Analyzer II(49063)
Pointe Scientific Ionetics Model 310(49061)
Radiometer ABL 505(55053)
Radiometer KNA 1(55056)
Radiometer KNA 2(55057)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Seragen Quick-Lyte K/Na(58192)
Technicon AXON(61001)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (5823) Sorbital Dehydrogenase [SDH]

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Olympus Reply(46089)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (6102) Testosterone

Test System, Assay, Examination

Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)

Analyte: (6106) Thyroid Stimulating Hormone (TSH)

Test System, Assay, Examination

Baxter Stratus(07050)
Becton Dickinson IQ Immunochemical System(07429)
BioAutoMed ASCA(07192)
Ciba Corning ACS 180(10046)
Du Pont ACA III with aca plus Immunoassay System(13253)
Du Pont ACA IV with aca plus Immunoassay System(13254)
Du Pont ACA V with aca plus Immunoassay System(13255)
PB Diagnostics Systems OPUS(49001)
Roche Cobas FARA II(55041)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Syva Vista Immunoassay System(58221)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (6108) Thyroid Stimulating Hormone—High Sens. (TSH-HS)

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Boehringer Mannheim ES 300(07160)
Cirrus Diagnostics Immulite(10159)
Technicon Immuno 1 System(61042)

Analyte: (6109) Thyroxine (T4)

Test System, Assay, Examination

Abbott IMX(04056)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott Vision(04083)
Access Medical Systems dChem(04309)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson Affinity(07075)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)

Boehringer Mannheim ES 300(07160)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Photest Diagnostics dChem(49050)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Syva Vista Immunoassay System(58221)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon AXON(61001)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (6110) Thyroxine Binding Globulin [TBG]

Test System, Assay, Examination

Boehringer Mannheim ES 300(07160)

Analyte: (6111) Thyroxine, Free (FT4)

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
Serono Diagnostics SR 1(58250)
Syva Vista Immunoassay System(58221)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)
BioMerieux Vitek Vidas(07434)

Analyte: (6131) Total Solids (Protein)

Test System, Assay, Examination

American Optical TS Meter(04285)
Reichert TS Meter(55071)

Analyte: (6114) Transferrin

Test System, Assay, Examination

Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (6118) Triglyceride

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Cholestech L.D.X. Lipid Analyzer(10170)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Cirrus Diagnostics CRP (Cardiac Risk Profiler)(10160)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Medical Technology Corp. QuikRead(40113)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (6119) Triiodothyronine (T3)

Test System, Assay, Examination

Abbott IMX(04056)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
Olympus AU 5131(46088)
PB Diagnostics Systems OPUS(49001)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Syva Vista Immunoassay System(58221)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon Immuno 1 System(61042)

Analyte: (6120) Triiodothyronine Uptake (T3U) (TU)

Test System, Assay, Examination

Abbott IMX(04056)
Abbott TDX(04071)
Access Medical Systems dChem(04309)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson Affinity(07075)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim ES 300(07160)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Photest Diagnostics dChem(49050)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Syva Vista Immunoassay System(58221)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)
Technicon AXON(61001)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (6121) Triiodothyronine, Free (FT3)

Test System, Assay, Examination

Abbott IMX(04056)
Ciba Corning ACS 180(10046)

Analyte: (6403) Urea (BUN)

Test System, Assay, Examination

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Azostix(04307)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 4(07053)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman BUN Analyzer (Original Model)(07056)
Beckman BUN Analyzer 2(07057)
Beckman Synchron AS–X(07069)
Beckman Synchron AS–Xe(07172)
Beckman Synchron AS–Xi(07173)
Beckman Synchron CX 3(07070)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Beckman System One(07175)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Biodynamics Unimeter 250(07254)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron(07167)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
I-STAT I-STAT Portable Clinical Analyzer(28186)
Instrumentation Laboratory IL 919(28185)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Phoenix(28084)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Nova 12(43013)
Nova 12 (with CRT)(43049)
Nova 14(43015)
Nova 14 (with CRT)(43051)
Nova Nucleus(43028)
Olympus AU 5000(46001)
Olympus AU 5021(46084)

Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (6404) Uric Acid

Test System, Assay, Examination:

Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Abbott Vision(04083)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor Diagnostics Perspective(04142)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Astra 8(07054)
Beckman Astra 8e(07170)
Beckman Astra Ideal(07055)
Beckman Synchron AS-X(07069)
Beckman Synchron AS-Xe(07172)
Beckman Synchron AS-Xi(07173)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Boehringer Mannheim Reflotron(07167)
Boehringer Mannheim Reflotron Plus(07168)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Dacos XL(10107)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 P(34024)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT 60(34016)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 20R(70001)
Wako Diagnostics 30R(70002)

Analyte: (6707) Vitamin B12

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Becton Dickinson Affinity(07075)
Ciba Corning ACS 180(10046)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)

Analyte: (7901) Zinc Protoporphyrin

Test System, Assay, Examination

AVIV Hematofluorometer(04008)
Helena Laboratories ProtoFluor-Z Hematofluorometer(25059)
Helena Laboratories Protofluor(25004)

Speciality/Subspeciality: General Immunology

Analyte: (0417) Allergen specific IgE

Test System, Assay, Examination

Abbott Matrix Aero Plus(04306) In Vitro Technologies Central Allergy Screen(28147)
In Vitro Technologies Northeast Allergy Screen(28150)
In Vitro Technologies Southeast Allergy Screen(28149)
In Vitro Technologies Southwest Allergy Screen(28148)
In Vitro Technologies Western Allergy Screen(28146)
Quidel Allergen Screen(52002)
Quidel Food Allergen Screen(52006)

Analyte: (0470) Alpha-1 Microglobin

Test System, Assay, Examination

Behring Nephelometer(07273)
Behring Nephelometer 100(07272)

Analyte: (0420) Alpha-1–Acid Glycoprotein (Orosomucoid)

Test System, Assay, Examination

Beckman Array(07187)
Beckman Array 360(07052)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)

Analyte: (0421) Alpha-1-Antitrypsin

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Beckman Array(07187)
Beckman Array 360(07052)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)

Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Roche Cobas Bio(55100)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)

Analyte: (0422) Alpha-2-Macroglobulin

Test System, Assay, Examination

Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Roche Cobas FARA II(55041)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)

Analyte: (0424) Alpha-Fetoprotein—Tumor Marker

Test System, Assay, Examination

Abbott IMX(04056)
BioAutoMed ASCA(07192)
Boehringer Mannheim ES 300(07160)

Analyte: (0426) Aminoglycosides

Test System, Assay, Examination

Abbott TDX(04071)

Analyte: (0435) Anti-DNA Antibodies

Test System, Assay, Examination

General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)
Stanbio s-LE Quicktest(58068)

Analyte: (0436) Anti-DNP Antibodies

Test System, Assay, Examination

Ampcor SLE Test(04167)
Diagnostic Technology ANA Check(13042)
Fisher Diagnostic SLE Latex Test Kit(19006)
Hycor Serascan SLE(25028)
NCS SLE - Slide Latex Test(43041)
Sterling Diagnostics Test Kit(58230)
V-Tech V-Trend Kit LE(67045)

Analyte: (0441) Anti-Nuclear Antibodies (ANA)

Test System, Assay, Examination

Baxter ImmunoSCAN SLE Test(07235)
BioWhittaker RheumaStrip(07346)
General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)

Analyte: (0443) Anti-RNP (Ribonucleoprotein)

Test System, Assay, Examination

General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)

Analyte: (0446) Anti-SS-A/Ro

Test System, Assay, Examination

General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)

Analyte: (0447) Anti-SS-B/La

Test System, Assay, Examination

General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)

Analyte: (0450) Anti-Sm (Smith)

Test System, Assay, Examination

General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)

Analyte: (0452) Anti-Streptolysin O (ASO)

Test System, Assay, Examination

Ampcor ASO Card Test(04292)
Ampcor Quik-Dot(04165)
Baxter ImmunoSCAN ASO Test(07236)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring RapiTex(07120)
Behring Turbitimer(07274)
Biokit Rheumagen ASO(07147)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Diagnostic Technology ASO Check(13043)
Fisher Diagnostic LAtest ASO(19002)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
NCS ASO Slide Test(43038)
Roche Cobas FARA(55040)
Roche Cobas Mira(55044)
Sanofi/Kallestad QM 300(58169)
Seradyn Color Slide(58039)
Stanbio ASO Quicktest(58118)
Sterling Diagnostics Test Kit(58230)
Technicon RA 1000(61010)
Technicon RA XT(61013)
V-Tech Target ASO(67063)
V-Tech V-Trend ASO Plus(67007)
Wampole Streptozyme(70016)

Analyte: (0453) Anti-Thyroglobulin Antibodies

Test System, Assay, Examination

General Biometrics ImmunoDot Thyroid Autoimmunity Panel(22047)

Analyte: (0455) Anti-Thyroid Microsomal Antibodies (AMA)

Test System, Assay, Examination

General Biometrics ImmunoDot Thyroid Autoimmunity Panel(22047)

Analyte: (0703) Beta-2 Microglobulin

Test System, Assay, Examination

Abbott IMX(04056)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (1001) C-Reactive Protein (CRP)

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott Vision(04083)
Ampcor CRP Card Test(04291)
Ampcor Quik-Dot(04165)
Amtec CRP(04184)
Baxter ImmunoSCAN (Latex)(07038)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson BBL CRP Precipitin Test(07240)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring RapiTex(07120)
Behring Turbitimer(07274)
Biokit Rheumagen CRP(07148)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Diagnostic Technology CRP Check(13044)
Difco Bacto CRP Capillary Tube Test(13160)
Difco Bacto CRP Slide Test Set(13054)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Fisher Diagnostic LAtest CRP(19003)
Gamma C-Reactive Protein Latex Test(22112)
Hycor Serascan CRP(25025)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
NCS CRP Slide Test(43043)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sanofi/Kallestad QM 300(58169)
Sclavo CRP Latex Test(58031)
Seradyn Color Slide(58039)
Stanbio CRP Quicktest(58065)
Sterling Diagnostics Test Kit(58230)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
V-Tech Target CRP(67002)
V-Tech V-Trend Kit CRP(67046)
Wampole Immunex CRP(70009)

Analyte: (1013) Carcinoembryonic Antigen (CEA)

Test System, Assay, Examination

Abbott IMX(04056)

Analyte: (1015) Ceruloplasmin

Test System, Assay, Examination

Beckman Array(07187)

Beckman Array 360(07052)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Roche Cobas FARA II(55041)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)

Analyte: (1024) Coccidioides Antibodies

Test System, Assay, Examination

Immuno-Mycologics LA-Cocci Antibody System(28031)
Meridian Diagnostics Coccidioides Latex Agglutination(40061)

Analyte: (1029) Complement C3

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1030) Complement C4

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1048) Cryptococcus Antibodies

Test System, Assay, Examination

Immuno-Mycologics YA-Crypto Ab Tube Agglutination Test(28152)

Analyte: (1039) Cytomegalovirus Antibodies

Test System, Assay, Examination

Abbott IMX(04056)
Becton Dickinson CMV Scan(07085)
Disease Detection International SeroCard CMV IgG Test(13077)
General Biometrics ImmunoDot Infectious Mono Syndrome Panel(22043)
General Biometrics ImmunoDot T.E.C.H. Test(22111)
General Biometrics ImmunoDot TORCH Test(22045)
Meridian Diagnostics Immunocard Test(40064)
PB Diagnostics Systems OPUS(49001)
V-Tech Target CMV(67001)

Analyte: (1311) DNase-B Antibodies

Test System, Assay, Examination

Wampole Streptonase-B(70092)

Analyte: (1603) Epstein-Barr Virus Antibodies

Test System, Assay, Examination

General Biometrics ImmunoDot Infectious Mono Syndrome Panel(22043)
General Biometrics ImmunoDot T.E.C.H. Test(22111)

Analyte: (1901) Febrile Agglutinins

Test System, Assay, Examination

Becton Dickinson BBL - Slide Test(07076)
Becton Dickinson BBL - Tube Test(07077)
Difco Bacto-Slide Test(13058)
Difco Bacto-Tube Test(13059)
Gamma Biologicals Slide Test(22011)
Gamma Biologicals Tube Test(22012)
Roach Laboratories - Slide Test(55085)
Roach Laboratories - Tube Test(55084)

Analyte: (1912) Fungus Antibodies

Test System, Assay, Examination

Immuno-Mycologics LA-Sporo Antibody System(28033)

Analyte: (2506) HIV Antibodies

Test System, Assay, Examination

Cambridge Biotech Recombigen HIV–1 LA Test(10168)
Murex SUDS HIV–1 Test(40114)

Analyte: (2511) Haptoglobin

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring RapiTex(07120)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)

Analyte: (2513) Helicobacter Pylori Antibodies

Test System, Assay, Examination

Quidel H. pylori Test (Quick Vue)(52007)
Wellcome Pyloriset(70086)

Analyte: (2517) Hemopexin

Test, System, Assay, Examination

Behring Nephelometer(07273)

Analyte: (2519) Hepatitis A Virus Antibody

Test, System, Assay, Examination

Abbott IMX(04056)
Syva MicroTrak XL(58263)

Analyte: (2525) Hepatitis Be Antibody

Test, System, Assay, Examination

Syva MicroTrak XL(58263)

Analyte: (2526) Hepatitis Be Antigen

Test, System, Assay, Examination

Syva MicroTrak XL(58263)

Analyte: (2530) Herpes simplex I and/or II Antibodies

Test, System, Assay, Examination

Disease Detection International SeroCard HSV IgG Test(13078)
General Biometrics ImmunoDot T.E.C.H. Test(22111)
General Biometrics ImmunoDot TORCH Test(22045)
Meridian Diagnostics Immunocard Test(40064)

Analyte: (2531) Histoplasma Antibodies

Test, System, Assay, Examination

Immuno-Mycologics LA-Histo Antibody System(28032)

Analyte: (2803) Immunoglobulins IgA

Test, System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (2805) Immunoglobulins IgE

Test, System, Assay, Examination

Abbott IMX(04056)
Abbott Matrix Aero Plus(04306)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Behring Nephelometer 100(07272)
Bio-Chem Laboratory Systems ATAC 6000(07189)
Biomerica CAST Color Allergy Screening Test(07232)
Boehringer Mannheim ES 300(07160)
Ciba Corning ACS 180(10046)
In Vitro Technologies Central Allergy Screen(28147)
In Vitro Technologies Northeast Allergy Screen(28150)
In Vitro Technologies Southeast Allergy Screen(28149)
In Vitro Technologies Southwest Allergy Screen(28148)
In Vitro Technologies Western Allergy Screen(28146)
MAST Total IgE Test(40109)
Quidel Total IgE Test (QRA reader)(52020)
Quidel Total IgE Test (visual)(52009)
TOSOH A1A–1200(61040)
TOSOH A1A–600(61039)

Analyte: (2806) Immunoglobulins IgG

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (2808) Immunoglobulins IgM

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sanofi/Kallestad QM 300(58169)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (2809) Infectious Mononucleosis Antibodies (Mono)

Test System, Assay, Examination

Ampcor IM Card Test(04289)
Ampcor Quik-Dot(04165)
Baxter ImmunoSCAN (Latex)(07038)
Baxter ImmunoSCAN (RBC)(07039)
Baxter MicroScan Cards O.S. Mono(07237)
Biokit Monogen(07146)
Diagnostic Technology Infectious Mononucleosis Check(13050)
Gamma Slide Test for Infectious Mononucleosis(22113)
General Biometrics ImmunoDot Infectious Mono Syndrome Panel(22043)
Gull Laboratories Mono-Lex Test(22090)
Hybritech Concise Mono Test(25016)
Hycor Serascan Infectious Mononucleosis Test(25026)
Leeco Diagnostics Preview Mono(37009)
Medical Technology Corp. Mono-Lisa(40044)
Medical Technology Corp. OPTITEC Mono(40045)
NCS Infectious Mononucleosis Test(43039)
Organon NML Monosticon(46009)
Organon Teknika Monosticon Dri-Dot(46101)
Ortho Monolert(46077)
Ortho Monospot(46078)
Pacific Biotech Cards Mono(49002)
Pacific Biotech Cards O.S. Mono(49016)
Sclavo Infectious Mononucleosis Screening(58032)
Seradyn Color Slide II(58040)
Stanbio IM Quicktest(58117)
Sterling Diagnostics Test Kit(58230)
Unipath Oxoid Infectious Mononucleosis Test(64008)
V-Tech Target Mono(67003)
V-Tech V-Trend Kit IM(67008)
Ventrex Ventrescreen Mono(67013)
Wampole Mono-Diff(70010)
Wampole Mono-Latex(70011)
Wampole Mono-Plus(70084)

Wampole Mono-Sure(70012)
Wampole Mono-Test(70013)
Wampole Mono-Test (FTB)(70085)

Analyte: (3402) Kappa Light Chains

Test System, Assay, Examination

Beckman Array(07187)
Beckman Array 360(07052)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Roche Cobas FARA II(55041)
Sanofi/Kallestad QM 300(58169)

Analyte: (3705) Lambda Light Chains

Test System, Assay, Examination

Beckman Array(07187)
Beckman Array 360(07052)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Roche Cobas FARA II(55041)
Sanofi/Kallestad QM 300(58169)

Analyte: (3714) Lyme Disease Antibodies (Borrelia Burgdorferi Abs)

Test System, Assay, Examination

General Biometrics ImmunoDot Borrelia w/ Recombinant Protein(22110)
General Biometrics ImmunoDot Lyme Test(22044)
Quidel Lyme Disease Test(52008)
Vitek Systems Vidas (antibodies)(67062)

Analyte: (4016) Mycoplasma Pneumonia Antibodies

Test System, Assay, Examination

Medical Diag. Technologies Mycoplasma pneumonia IgG Ab Test(40034)
Meridian Diagnostics Meristar-MP(40065)

Analyte: (4023) Myoglobin

Test System, Assay, Examination

Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring Turbitimer(07274)

Analyte: (4911) Prealbumin

Test System, Assay, Examination

Abbott Spectrum EPX(04068)
Beckman Array(07187)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Sanofi/Kallestad QM 300(58169)
Technicon RA 1000(61010)

Analyte: (4916) Properdin Factor B

Test System, Assay, Examination

Beckman Array(07187)
Beckman Array 360(07052)
Technicon DPA–1(61041)

Analyte: (4919) Prostatic Specific Antigen (PSA)

Test System, Assay, Examination

Abbott IMX(04056)
Baxter Stratus(07050)
Baxter Stratus II(07051)

Analyte: (5508) Rheumatoid Factor (RF)

Test System, Assay, Examination

Ampcor Quik-Dot(04165)
Ampcor RF Card Test(04290)
Amtec RF(04186)
Baxter ImmunoSCAN (Latex)(07038)
Baxter ImmunoSCAN (RBC)(07039)
Beckman Array(07187)
Beckman Array 360(07052)
Becton Dickinson Macro-vue RF(07099)
Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Behring RapiTex(07120)
Behring Turbitimer(07274)
Biokit Rheumagen RF(07149)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Diagnostic Technology RA Check(13051)
Difco Bacto RF Test(13055)
Fisher Diagnostic LAtest RF(19004)
Gamma RF-Latex Test(22114)
General Biometrics ImmunoDot Autoimmunity Screening Panel(22042)
Hycor Serascan RA test(25027)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Isolab Rapid-RF(28196)
NCS RA Latex Test(43040)
Organon Rheumanosticon Dri-Dot(46016)
Roche Cobas FARA(55040)
Roche Cobas Mira(55044)
Sanofi/Kallestad QM 300(58169)
Sclavo Reuma Test(58034)
Seradyn Seratest RF Latex Test(58045)
Stanbio RA Factor Quicktest(58067)
Sterling Diagnostics Test Kit(58230)
Technicon DPA–1(61041)
Technicon RA 1000(61010)
Technicon RA XT(61013)
V-Tech Target RF(67064)
V-Tech V-Trend Kit RF(67048)
V-Tech V-Trend Kit Red Cell RF(67047)
Wampole Rheumatex(70014)
Wampole Rheumaton(70015)

Analyte: (5513) Rickettsia Conorii Ab (Mediterranean Spotted Fvr)

Test System, Assay, Examination

INDX Latex - Rickettsia conorii (MSF) Kit(28121)

Analyte: (5512) Rickettsia Rickettsii Ab (Rocky Mt. Spotted Fever)

Test System, Assay, Examination

INDX DIP-S-TICKS Rocky Mt. Spotted Fever (RMSF) Test(28120)
INDX Latex - Rickettsia rickettsii (RMSF) Kit(28122)

Analyte: (5514) Rickettsia Typhi Ab (Typhus Antibodies)

Test System, Assay, Examination

INDX Latex - Rickettsia typhi Kit(28123)

Analyte: (5510) Rubella Antibodies

Test System, Assay, Examination

Abbott IMX(04056)
Baxter ImmunoSCAN Rubella Latex Test(07234)
Becton Dickinson Rubascan(07105)
Biokit Rubagen(07150)
Disease Detection International SeroCard Rubella IgG Test(13079)
General Biometrics ImmunoDot Quantitative Rubella(22046)
General Biometrics ImmunoDot TORCH Test(22045)
Meridian Diagnostics Immunocard Test(40064)
Murex SUDS Rubella(40088)
PB Diagnostics Systems OPUS(49001)
Seradyn Seratest Rubella(58181)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1 (58250)
V-Tech Target Rubella (67005)
Vitek Systems Vidas (antibodies) (67062)
Wampole Virogen Rubella Micro Latex Test (70020)
Wampole Virogen Rubella Slide Test (70021)
Wellcome Rubalex (70087)

Analyte: (5821) Sporothrix Schenckii Antibodies

Test System, Assay, Examination

Immuno-Mycologics Exo-Antigen Test Kit (28026)

Analyte: (6113) Toxoplasma Gondii Antibodies

Test System, Assay, Examination

Abbott IMX (04056)
Bio-Medical BIOCARD Toxo Ab (07137)
Disease Detection International SeroCard Toxoplasma IgG (13080)
General Biometrics ImmunoDot Infectious Mono Syndrome Panel (22043)
General Biometrics ImmunoDot T.E.C.H. Test (22111)
General Biometrics ImmunoDot TORCH Test (22045)
Meridian Diagnostics Immunocard Test (40064)
Murex SUDS Toxo (40089)
PB Diagnostics Systems OPUS (49001)
Serono Baker SR 1 (58090)
Serono Diagnostics SR 1 (58250)
Vitek Systems Vidas (antibodies) (67062)

Analyte: (6114) Transferrin

Test System, Assay, Examination

Abbott Spectrum EPX (04068)
Abbott TDX (04071)
Abbott TDX FLx (04072)
Abbott VP (04082)
Beckman Array (07187)
Beckman Array 360 (07052)
Beckman Synchron CX 4 (07071)
Beckman Synchron CX 4 CE (07174)
Beckman Synchron CX 5 (07072)
Beckman Synchron CX 7 (07073)
Behring Nephelometer (07273)
Behring Nephelometer 100 (07272)
Behring Turbitimer (07274)

Boehringer Mannheim Hitachi 704 (07161)
Boehringer Mannheim Hitachi 705 (07162)
Boehringer Mannheim Hitachi 717 (07163)
Ciba Corning 550 Express (10038)
Coulter Dacos (10106)
Coulter Optichem 100 (10115)
Coulter Optichem 120 (10079)
Coulter Optichem 180 (10080)
EM Diagnostic Systems EPOS (16015)
Instrumentation Laboratory IL Monarch 1000 (28082)
Instrumentation Laboratory IL Monarch 2000 (28231)
Instrumentation Laboratory IL Monarch Plus (28083)
Roche Cobas Bio (55100)
Roche Cobas Mira (55044)
Roche Cobas Mira Plus (55096)
Sanofi/Kallestad QM 300 (58169)
Technicon DPA–1 (61041)

Analyte: (6115) Treponema Pallidum Antibodies (Includes Reagin)

Test System, Assay, Examination

Ampcor RPR (04166)
Ampcor TRUST RPR (04168)
Baxter ImmunoSCAN RPR Card Test (07233)
Becton Dickinson Macro-vue RPR (07100)
Biokit RPR (07299)
Difco Bacto USR (13162)
Fisher Diagnostic Reagin Screen Test (19005)
Gamma Biologicals RPR/USR Antigen (22115)
NCS RPR CARD TEST—manual (43037)
New Horizons TRUST assay (43007)
Remel RPR CARD Test Kit (55066)
Seradyn Color Slide (58039)
Seradyn Color Slide—TRUST (58180)
Stanbio Syphilis (RPR) Quicktest (58116)
V-Tech V-Trend RPR Raindrop Card Test (67044)

Analyte: (6126) Trichinella Antibodies

Test System, Assay, Examination

Difco Latex Flocculation Test—Trichinosis (13159)

Analyte: (6704) Varicella-Zoster Virus Antibodies

Test System, Assay, Examination

Becton Dickinson VZV Scan (07111)

SPECIALITY/SUBSPECIALITY: Hematology

Analyte: (0401) Activated Clotting Time (ACT)

Test System, Assay, Examination

HemoTec Automated Coagulation Timer (25030)
HemoTec Hepcon/HMS (25034)
HemoTec Hepcon/System A–10 (25033)
HemoTec Hepcon/System B–10 (25035)
HemoTec Hepcon/System Four (25032)
International Technidyne Factor VI (28093)
International Technidyne Hemochron 400 (28094)
International Technidyne Hemochron 401 (28095)
International Technidyne Hemochron 800 (28096)
International Technidyne Hemochron 801 (28097)
Quest Medical ACTester/ACTest AACT System (52013)
Sienco SONOCLOT II Surgical Analyzer (direct readout) (58258)

Analyte: (0409) Activated Partial Thromboplastin Time (APTT)

Test System, Assay, Examination

American Scientific Fibrometer (04145)
Becton Dickinson BBL Fibrometer (07080)
Bio/Data MCA 110 (07281)
Bio/Data MCA 210 (07282)
Boehringer Mannheim Unimeter CA–600 (07216)
Boehringer Mannheim Unimeter CU–500 (07215)
Ciba Corning Biotrack 512 (10047)
DataChem DC–100 (13213)
Diagnostica Stago ST4 (13218)
General Diagnostics Coag-A-Mate (22056)
General Diagnostics Coag-A-Mate 150 (22139)
General Diagnostics Coag-A-Mate 2001 (22138)
General Diagnostics Coag-A-Mate Dual Channel (22137)
General Diagnostics Coag-A-Mate X2 (22057)
General Diagnostics Coag-A-Mate XC (22058)
Helena Laboratories Cascade 480 (25002)
Helena Laboratories Dataclot (25003)
HemoTec Automated Coagulation Timer (25030)
Instrumentation Laboratory IL ACL 100 (28073)
Instrumentation Laboratory IL ACL 1000 (28074)
Instrumentation Laboratory IL ACL 200 (28075)
Instrumentation Laboratory IL ACL 2000 (28076)
Instrumentation Laboratory IL ACL 300 (28077)
Instrumentation Laboratory IL ACL 300 Plus (28197)
Instrumentation Laboratory IL ACL 3000 (28078)
Instrumentation Laboratory IL ACL 3000 Plus (28079)
Instrumentation Laboratory IL ACL 810 (28080)
International Technidyne Factor VI (28093)
International Technidyne Hemochron 400 (28094)
International Technidyne Hemochron 401 (28095)
International Technidyne Hemochron 800 (28096)
International Technidyne Hemochron 801 (28097)
LAbor COA Data 2000 (37034)
LAbor COA Screener (37033)
LAbor COA System (37035)
LAbor CoaData 3000 (37066)
Lancer Coagulyzer Jr. III (37025)
Logos elvi 818 Digiclot (37013)
Logos elvi 819 Multi Clot (37014)
Logos elvi 820 Digiclot II (37015)
Medical Laboratory MLA Electra 1000 C (40037)
Medical Laboratory MLA Electra 600 (40149)
Medical Laboratory MLA Electra 650 (40150)
Medical Laboratory MLA Electra 700 (40038)
Medical Laboratory MLA Electra 750 (40039)
Medical Laboratory MLA Electra 800 (40040)
Medical Laboratory MLA Electra 900 (40041)
Medical Laboratory MLA Electra 900 C (40042)
Organon Teknika Coag-A-Mate Data-Mate (46018)
Organon Teknika Coag-A-Mate RA4 (46019)
Organon Teknika Coag-A-Mate X–2 (46020)
Organon Teknika Coag-A-Mate XC (46021)
Organon Teknika Coag-A-Mate XC Plus (46022)
Organon Teknika Coag-A-Mate XM (46023)
Ortho KoaguLab M (46111)
Ortho Koagulab 16S (46074)
Ortho Koagulab 32–S (46123)
Ortho Koagulab 40–A (46076)
Ortho Koagulab 60–S (46122)
Sherwood Medical Coagulizer Jr. (58140)
Sienco Dual Sample Aggregation Meter (DP–247)(58119)
Sigma AccuStasis 1000 (58049)
Sigma AccuStasis 2000 (58050)
TECO Coatron F2 (61065)
TECO Coatron II (61047)
TECO Coatron Jr (61048)

Analyte: (0456) Antithrombin III (ATIII)

Test System, Assay, Examination

Beckman Array (07187)
Beckman Array 360 (07052)
Behring Nephelometer (07273)
Behring Nephelometer 100 (07272)
Du Pont ACA (13082)
Du Pont ACA II (13172)
Du Pont ACA III (13173)
Du Pont ACA IV (13083)
Du Pont ACA V (13084)

Analyte: (0714) Bleeding Time

Test System, Assay, Examination

Duke Bleeding Time (13251)
International Technidyne Surgicutt Bleeding Time Test (28176)
Ivy/Template Bleeding Time (28116)
Simplate Bleeding Time (58128)

Analyte: (0716) Body Fluid Microscopic Elements

Test System, Assay, Examination

Fern Test (19014)
IRIS The Yellow IRIS model 250 (Squamous/WBC/RBC cnt. only) (28117)
IRIS The Yellow IRIS model 450 (Squamous/WBC/RBC cnt. only) (28118)

Analyte: (1616) Eosinophils

Test System, Assay, Examination

All Nasal Smears for Eosinophils (04354)

Analyte: (1613) Erythrocyte Sedimentation Rate (Non-Waived Proced)

Test System, Assay, Examination

Hi Chem-Vega Ves-Matic ESR System (25054)

Analyte: (1904) Fibrin Split Products (Fibrin Degradation)

Test System, Assay, Examination

American Diagnostica Dimertest Latex Kit (FDP) (04138)
Biopool Minutex D-dimer (07238)
Diagnostica Stago D-Di (13136)
Diagnostica Stago F.S. Test (13137)
Diagnostica Stago Spli-Prest (13138)
Du Pont ACA (13082)
Du Pont ACA II (13172)
Du Pont ACA III (13173)
Du Pont ACA IV (13083)
Du Pont ACA V (13084)
International Technidyne Bed Rod D-dimer (28092)
Organon Teknika Fibrinosticon (46090)

Analyte: (1905) Fibrinogen

Test System, Assay, Examination

Abbott Spectrum EPX (04068)
Abbott VP (04082)
Beckman Synchron CX 4 (07071)
Beckman Synchron CX 5 (07072)
Beckman Synchron CX 7 (07073)
Becton Dickinson BBL Fibrometer (07080)
Becton Dickinson QBC AutoRead (07104)
Becton Dickinson QBC Reference (07180)
Behring Nephelometer (07273)
Behring Nephelometer 100 (07272)
Bio/Data MCA 110 (07281)
Bio/Data MCA 210 (07282)
Boehringer Mannheim Hitachi 704 (07161)
Boehringer Mannheim Hitachi 717 (07163)
Ciba Corning 550 Express (10038)
Coulter Optichem 100 (10115)
Coulter Optichem 120 (10079)
Coulter Optichem 180 (10080)
Diagnostica Stago ST4 (13218)
Du Pont ACA (13082)
Du Pont ACA II (13172)
Du Pont ACA III (13173)
Du Pont ACA IV (13083)
Du Pont ACA V (13084)
Electronucleonics Gem-Profiler (16004)
General Diagnostics Coag-A-Mate X2 (22057)
General Diagnostics Coag-A-Mate XC(22058)
Helena Laboratories Cascade 480(25002)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 1000(28074)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
International Technidyne Factor VI(28093)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor COA System(37035)
LAbor CoaData 3000(37066)
Logos elvi 819 Multi Clot(37014)
Logos elvi 820 Digiclot II(37015)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 700(40038)
Medical Laboratory MLA Electra 750(40039)
Medical Laboratory MLA Electra 800(40040)
Medical Laboratory MLA Electra 900(40041)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Coag-A-Mate RA4(46019)
Organon Teknika Coag-A-Mate XC(46021)
Organon Teknika Coag-A-Mate XC Plus(46022)
Organon Teknika Coag-A-Mate XM(46023)
Ortho Koagulab 16S(46074)
Ortho Koagulab 32–S(46123)
Ortho Koagulab 40–A(46076)
Ortho Koagulab 60–S(46122)
Roche Cobas Bio(55100)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Sigma AccuStasis 1000(58049)
Sigma AccuStasis 2000(58050)
TECO Coatron F2(61065)
TECO Coatron II(61047)
TECO Coatron Jr(61048)
Technicon RA 1000(61010)

Analyte: (2514) Hematocrit

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 300(04228)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 400(04230)
Abbott Cell-Dyn 500(04231)
Abbott Cell-Dyn 610(04232)
Abbott Cell-Dyn 700(04233)
Abbott Cell-Dyn 800(04234)
Abbott Cell-Dyn 900(04235)
Baker 8000(07019)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Baker JTB 500A(07421)
Baker JTB 700A(07422)
Becton Dickinson QBC(07176)
Becton Dickinson QBC AutoRead(07104)
Becton Dickinson QBC HemaScan(07428)
Becton Dickinson QBC II(07177)
Becton Dickinson QBC II Plus(07178)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QBC Reference(07180)
Bio-Chem Laboratory Systems ATAC 4300 Cell Counter(07242)
Bio-Dynamics CellTrak 5(07437)
Clay Adams HA–5(10102)
Coulter 530(10066)
Coulter 560(10067)
Coulter 770(10068)
Coulter CBC4(10069)
Coulter CBC5(10070)
Coulter JR(10181)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter M430(10077)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S(10116)
Coulter S Plus(10081)
Coulter S Plus II(10082)
Coulter S Plus III(10083)
Coulter S Plus IV(10084)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus Jr.(10086)
Coulter S Plus V(10087)
Coulter S Plus VI/STKR(10088)
Coulter S SR(10118)
Coulter S550(10089)
Coulter S560(10119)
Coulter S7120(10120)
Coulter S770(10121)
Coulter S790(10122)
Coulter S880(10090)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter ZB16(10127)
Coulter ZF5(10129)
Danam Datacell-18(13093)
Danam Datacell-18/AS–30(13094)
Danam HC–1020(13096)
Danam HC–510(13098)
Danam HC–510/HD11(13099)
Danam HC–720(13100)
Danam HC–820/HD11(13101)
Danam HC–820/HD21(13102)
Danam SA–1000(13103)
Danam Vector 5(13104)
Danam Vector 6(13105)
Danam Vector 6 Plus(13106)
Danam Vector 8(13107)
Danam Vector 8 Plus(13108)
Electronucleonics Cellstar(16003)
I-STAT i-STAT Portable Clinical Analyzer(28186)
Infolab I–1100(28129)
Infolab I–1800(28130)
Infolab I–500(28090)
Infolab I–900(28091)
Instrumentation Laboratory IL Cellect 7(28228)
Instrumentation Laboratory IL Cellect 8(28229)
Instrumentation Laboratory IL Cellect 8E(28230)
Mallinckrodt GEM-STAT(40125)
Mallinckrodt Gem 6 Plus(40002)
Mallinckrodt Gem Premier(40003)
MedTest Systems Medisensor 2001(40120)
Nova 1(43010)
Nova 1 (with CRT)(43045)
Nova 11(43012)
Nova 11 (with CRT)(43048)
Nova 13(43014)
Nova 13 (with CRT)(43050)
Nova 14(43015)
Nova 14 (with CRT)(43051)
Nova 5(43019)
Nova 5 (with CRT)(43047)
Nova Celltrak 11(43024)
Nova Celltrak 12(43025)
Nova Celltrak 2(43026)
Nova Celltrak 2/6(43027)
Nova Stat Profile 1(43029)
Nova Stat Profile 2(43030)
Nova Stat Profile 4(43032)
Nova Stat Profile 5(43033)
Nova Stat Profile 6(43034)
Nova Stat Profile 8(43036)
Ortho ELT 15(46059)
Ortho ELT 1500(46060)
Ortho ELT 8(46061)
Ortho ELT 8/DS(46062)
Ortho ELT 8/WS(46063)
Ortho ELT 800/WS(46065)
Roche Cobas Argos(55039)
Roche Cobas Argos5 Diff(55093)
Roche Cobas HELIOS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos ST(55060)
Roche Cobas Minos STE(55042)
Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)

Sequoia Turner 1600(58035)
Sequoia Turner 700(58036)
Sequoia Turner 900(58037)
Seradyn Seragen Quick Count(58089)
Seradyn Seragen Quick Count Plus II(58172)
Serono Baker Series 150(58234)
Serono Baker Series 170(58235)
Serono Baker Series 5000(58236)
Serono Baker Series 7000(58237)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Serono Diagnostics 9000 Rx(58249)
Sysmex CC–108(58111)
Sysmex CC–120(58208)
Sysmex CC–130(58071)
Sysmex CC–150(58072)
Sysmex CC–170(58110)
Sysmex CC–180(58073)
Sysmex CC–700(58074)
Sysmex CC–720(58075)
Sysmex CC–780(58076)
Sysmex CC–800(58109)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)
Sysmex E–5000(58078)
Sysmex F–500(58206)
Sysmex F–800(58202)
Sysmex K–1000(58079)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.1 Jr(61052)
Technicon H.1E System(61043)
Technicon H.2 System(61038)
Wampole STAT-CRIT(70083)

Analyte: (2515) Hemoglobin

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 300(04228)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 400(04230)
Abbott Cell-Dyn 500(04231)
Abbott Cell-Dyn 610(04232)
Abbott Cell-Dyn 700(04233)
Abbott Cell-Dyn 800(04234)
Abbott Cell-Dyn 900(04235)
Abbott VP(04082)
Abbott Vision(04083)
Ames Clinistat(04150)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
BMS Hemoglobinometer 10–101(07212)
BMS Hemoglobinometer 10–101D(07213)
Baker 8000(07019)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Baker JTB 500A(07421)
Baker JTB 700A(07422)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Becton Dickinson QBC(07176)
Becton Dickinson QBC AutoRead(07104)
Becton Dickinson QBC HemaScan(07428)
Becton Dickinson QBC II Plus(07178)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QBC Reference(07180)
Becton Dickinson QCA Analyzer(07181)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Dynamics CellTrak 3(07436)
Bio-Dynamics CellTrak 5(07437)
BioAutoMed ASCA(07192)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Reflotron I System(07197)
Boehringer Mannheim Reflotron Plus(07168)
Cambridge Instruments Hb-Meter Hemoglobinometer(10140)
Clay Adams HA–3(10101)
Clay Adams HA–5(10102)
Coulter 530(10066)
Coulter 560(10067)
Coulter 770(10068)
Coulter CBC4(10069)
Coulter CBC5(10070)
Coulter Hemo-W(10111)
Coulter Hemoglobinometer(10112)
Coulter Hemoglobinometer W(10142)
Coulter JR(10181)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter M2(10114)
Coulter M430(10077)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S(10116)
Coulter S Plus(10081)
Coulter S Plus II(10082)
Coulter S Plus III(10083)
Coulter S Plus IV(10084)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus Jr.(10086)
Coulter S Plus V(10087)
Coulter S Plus VI/STKR(10088)
Coulter S SR(10118)
Coulter S550(10089)
Coulter S560(10119)
Coulter S7120(10120)
Coulter S770(10121)
Coulter S790(10122)
Coulter S880(10090)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter ZBI6(10127)
Coulter ZF5(10129)
Danam Datacell–18(13093)
Danam Datacell–18/AS–30(13094)
Danam HC–1020(13096)
Danam HC–310(13097)
Danam HC–510(13098)
Danam HC–510/HD11(13099)
Danam HC–720(13100)
Danam HC–820/HD11(13101)
Danam HC–820/HD21(13102)
Danam SA–1000(13103)
Danam Vector 5(13104)
Danam Vector 6(13105)
Danam Vector 6 Plus(13106)
Danam Vector 8(13107)
Danam Vector 8 Plus(13108)
DataChem DC–100(13213)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
Electronucleonics Cellstar(16003)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Infolab I–1100(28129)
Infolab I–1800(28130)
Infolab I–500(28090)
Infolab I–900(28091)
Instrumentation Laboratory IL Cellect 7(28228)
Instrumentation Laboratory IL Cellect 8(28229)
Instrumentation Laboratory IL Cellect 8E(28230)
Isolab Hb-Direct(28115)
Kodak Ektachem DT 60(34016)
Nova Celltrak 11(43024)
Nova Celltrak 12(43025)
Nova Celltrak 2(43026)
Nova Celltrak 2/6(43027)
Ortho ELT 15(46059)
Ortho ELT 1500(46060)
Ortho ELT 8(46061)
Ortho ELT 8/DS(46062)
Ortho ELT 8/WS(46063)
Ortho ELT 800/WS(46065)
Roche Cobas Argos(55039)
Roche Cobas Argos5 Diff(55093)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas HELIOS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos ST(55060)
Roche Cobas Minos STE(55042)
Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)
Roche Cobas Mira(55044)
Sequoia Turner 1600(58035)
Sequoia Turner 700(58036)
Sequoia Turner 900(58037)
Seradyn Seragen Quick Count(58089)
Seradyn Seragen Quick Count Plus II(58172)
Serono Baker Series 130(58233)
Serono Baker Series 150(58234)
Serono Baker Series 170(58235)
Serono Baker Series 5000(58236)
Serono Baker Series 7000(58237)
Serono Baker System 7500(58239)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Serono Diagnostics 9000 Rx(58249)
Stanbio Hemoglobin Analyzer(58209)
Sysmex CC–108(58111)
Sysmex CC–120(58208)
Sysmex CC–130(58071)
Sysmex CC–150(58072)
Sysmex CC–170(58110)
Sysmex CC–180(58073)
Sysmex CC–700(58074)
Sysmex CC–720(58075)
Sysmex CC–780(58076)
Sysmex CC–800(58109)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)

Sysmex E–5000(58078)
Sysmex F–300(58205)
Sysmex F–500(58206)
Sysmex F–800(58202)
Sysmex Hemoglobinometer HB–100(58130)
Sysmex Hemoglobinometer HB–110(58131)
Sysmex K–1000(58079)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.1 Jr(61052)
Technicon H.1E System(61043)
Technicon H.2 System(61038)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wampole STAT-CRIT(70083)

Analyte: (2535) Hemoglobin A2

Test System, Assay, Examination

Ciba Corning Model 765 Glycomat(10210)
Drew Scientific Glycomat Haemoglobin Analyzer(13260)
Helena Laboratories ColumnMate(25114)

Analyte: (2544) Hemoglobin Fractions

Test System, Assay, Examination:

Ciba Corning Model 765 Glycomat(10210)
Drew Scientific Glycomat Haemoglobin Analyzer(13260)

Analyte: (2536) Hemoglobin S

Test System, Assay, Examination

Ampcor Quik-Dot(04165)
Ampcor Sickle Cell - HbS Screening Kit(04297)
Chembio Sickle-STAT(10145)
Helena Laboratories ColumnMate(25114)
Key Scientific Sickle-Screen Test Kit(34030)
Organon Teknika Sicklequik(46102)
Ortho Sickledex(46131)
Sterling Diagnostics Sickle Cell Uni-test(58227)

Analyte: (2518) Heparin

Test System, Assay, Examination

Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)

Analyte: (2539) Heparin Dose Response (HDR)

Test System, Assay, Examination

HemoTec Hepcon/HMS(25034)
HemoTec Hepcon/System A–10(25033)
HemoTec Hepcon/System B–10(25035)
HemoTec Hepcon/System Four(25032)

Analyte: (2538) Heparin/Protamine Titration (HPT)

Test System, Assay, Examination

HemoTec Hepcon/HMS(25034)
HemoTec Hepcon/System A–10(25033)
HemoTec Hepcon/System B–10(25035)
HemoTec Hepcon/System Four(25032)

Analyte: (3723) Leukocytes, Fecal Smear

Test System, Assay, Examination

All Fecal Smears for Leukocytes(04324)

Analyte: (4907) Plasminogen

Test System, Assay, Examination

Behring Nephelometer(07273)
Behring Nephelometer 100(07272)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)

Analyte: (4908) Platelet Count

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 300(04228)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 400(04230)
Abbott Cell-Dyn 500(04231)
Abbott Cell-Dyn 610(04232)
Abbott Cell-Dyn 700(04233)
Abbott Cell-Dyn 800(04234)
Abbott Cell-Dyn 900(04235)
Baker 8000(07019)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Becton Dickinson QBC(07176)
Becton Dickinson QBC AutoRead(07104)
Becton Dickinson QBC II(07177)
Becton Dickinson QBC II Plus(07178)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QBC Reference(07180)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S Plus(10081)
Coulter S Plus II(10082)
Coulter S Plus III(10083)
Coulter S Plus IV(10084)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus Jr.(10086)
Coulter S Plus V(10087)
Coulter S Plus VI/STKR(10088)
Coulter S880(10090)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter ZBI(10126)
Coulter ZBI6(10127)
Coulter ZF(10128)
Coulter ZF5(10129)
Coulter ZM(10130)
Danam Datacell–18(13093)
Danam Datacell–18/AS–30(13094)
Danam HC–1020(13096)
Danam HC–820/HD11(13101)
Danam HC–820/HD21(13102)
Danam SA–1000(13103)
Danam Vector 6(13105)
Danam Vector 6 Plus(13106)
Danam Vector 8(13107)
Danam Vector 8 Plus(13108)
Electronucleonics Cellstar(16003)
Infolab I–1100(28129)
Infolab I–1800(28130)
Infolab I–900(28091)
Instrumentation Laboratory IL Cellect 8(28229)
Instrumentation Laboratory IL Cellect 8E(28230)
Nova Celltrak 11(43024)
Nova Celltrak 12(43025)
Ortho ELT 15(46059)
Ortho ELT 1500(46060)
Ortho ELT 8(46061)
Ortho ELT 8/DS(46062)
Ortho ELT 8/WS(46063)
Ortho ELT 800/WS(46065)
Roche Cobas Argos(55039)
Roche Cobas Argos5 Diff(55093)
Roche Cobas HELIOS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos ST(55060)
Roche Cobas Minos STE(55042)
Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)
Sequoia Turner 1600(58035)
Sequoia Turner 900(58037)
Serono Baker MK–4/HC(58232)
Serono Baker Series 810 Platelet Analyzer(58238)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Serono Diagnostics 9000 Rx(58249)
Sysmex CC–130(58071)
Sysmex CC–150(58072)
Sysmex CC–180(58073)
Sysmex CC–700(58074)
Sysmex CC–720(58075)
Sysmex CC–780(58076)
Sysmex CC–800(58109)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)
Sysmex E–5000(58078)
Sysmex F–800(58202)
Sysmex K–1000(58079)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Sysmex PL–100(58114)
Sysmex PL–110(58113)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.1 Jr(61052)
Technicon H.1E System(61043)
Technicon H.2 System(61038)

Analyte: (4922) Prothrombin Time (PT)

Test System, Assay, Examination

Abbott Vision(04083)
American Scientific Fibrometer(04145)
Becton Dickinson BBL Fibrometer(07080)
Bio/Data MCA 110(07281)
Bio/Data MCA 210(07282)
Boehringer Mannheim Unimeter CA–600(07216)
Boehringer Mannheim Unimeter CU–500(07215)

Ciba Corning Biotrack 512(10047)
DateChem DC–100(13213)
Diagnostica Stago ST4(13218)
Du Pont Coumatrak(13151)
EM Diagnostic Systems EASY ST(16017)
General Diagnostics Coag-A-Mate(22056)
General Diagnostics Coag-A-Mate 150(22139)
General Diagnostics Coag-A-Mate 2001(22138)
General Diagnostics Coag-A-Mate Dual Channel(22137)
General Diagnostics Coag-A-Mate X2(22057)
General Diagnostics Coag-A-Mate XC(22058)
Helena Laboratories Cascade 480(25002)
Helena Laboratories Dataclot(25003)
HemoTec Automated Coagulation Timer(25030)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 1000(28074)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
International Technidyne Factor VI(28093)
International Technidyne Hemochron 400(28094)
International Technidyne Hemochron 401(28095)
International Technidyne Hemochron 800(28096)
International Technidyne Hemochron 801(28097)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor COA System(37035)
LAbor CoaData 3000(37066)
Lancer Coagulyzer Jr. III(37025)
Logos elvi 818 Digiclot(37013)
Logos elvi 819 Multi Clot(37014)
Logos elvi 820 Digiclot II(37015)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 600(40149)
Medical Laboratory MLA Electra 650(40150)
Medical Laboratory MLA Electra 700(40038)
Medical Laboratory MLA Electra 750(40039)
Medical Laboratory MLA Electra 800(40040)
Medical Laboratory MLA Electra 900(40041)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Coag-A-Mate Data-Mate(46018)
Organon Teknika Coag-A-Mate RA4(46019)
Organon Teknika Coag-A-Mate X–2(46020)
Organon Teknika Coag-A-Mate XC(46021)
Organon Teknika Coag-A-Mate XC Plus(46022)
Organon Teknika Coag-A-Mate XM(46023)
Ortho KoaguLab M(46111)
Ortho Koagulab 16S(46074)
Ortho Koagulab 32–S(46123)
Ortho Koagulab 40–A(46076)
Ortho Koagulab 60–S(46122)
Sclavo Uni-Fast System Analyzer(58193)
Sherwood Medical Coagulizer Jr.(58140)
Sienco Dual Sample Aggregation Meter (DP–247)(58119)
Sigma AccuStasis 1000(58049)
Sigma AccuStasis 2000(58050)
TECO Coatron F2(61065)
TECO Coatron II(61047)
TECO Coatron Jr(61048)

Analyte: (5502) Red Blood Cell Count (Erythrocyte Count) (RBC)

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 300(04228)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 400(04230)
Abbott Cell-Dyn 500(04231)
Abbott Cell-Dyn 610(04232)
Abbott Cell-Dyn 700(04233)
Abbott Cell-Dyn 800(04234)
Abbott Cell-Dyn 900(04235)
Baker 8000(07019)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Baker JTB 500A(07421)
Baker JTB 700A(07422)
Bio-Chem Laboratory Systems ATAC 4300 Cell Counter(07242)
Bio-Dynamics CellTrak 2(07435)
Bio-Dynamics CellTrak 3(07436)
Bio-Dynamics CellTrak 5(07437)
Clay Adams HA–3(10101)
Clay Adams HA–5(10102)
Coulter 530(10066)
Coulter 560(10067)
Coulter 770(10068)
Coulter CBC4(10069)
Coulter CBC5(10070)
Coulter JR(10181)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter M430(10077)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S(10116)
Coulter S Plus(10081)
Coulter S Plus II(10082)
Coulter S Plus III(10083)
Coulter S Plus IV(10084)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus Jr.(10086)
Coulter S Plus V(10087)
Coulter S Plus VI/STKR(10088)
Coulter S SR(10118)
Coulter S550(10089)
Coulter S560(10119)
Coulter S7120(10120)
Coulter S770(10121)
Coulter S790(10122)
Coulter S880(10090)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter ZBI(10126)
Coulter ZBI6(10127)
Coulter ZF(10128)
Coulter ZF5(10129)
Coulter ZM(10130)
Danam Datacell–18(13093)
Danam Datacell–18/AS–30(13094)
Danam HC–1020(13096)
Danam HC–310(13097)
Danam HC–510(13098)
Danam HC–510/HD11(13099)
Danam HC–720(13100)
Danam HC–820/HD11(13101)
Danam HC–820/HD21(13102)
Danam SA–1000(13103)
Danam Vector 5(13104)
Danam Vector 6(13105)
Danam Vector 6 Plus(13106)
Danam Vector 8(13107)
Danam Vector 8 Plus(13108)
Electronucleonics Cellstar(16003)
Infolab I–1100(28129)
Infolab I–1800(28130)
Infolab I–500(28090)
Infolab I–900(28091)
Instrumentation Laboratory IL Cellect 7(28228)
Instrumentation Laboratory IL Cellect 8(28229)
Instrumentation Laboratory IL Cellect 8E(28230)
Nova Celltrak 11(43024)
Nova Celltrak 12(43025)
Nova Celltrak 2(43026)
Nova Celltrak 2/6(43027)
Ortho ELT 15(46059)
Ortho ELT 1500(46060)
Ortho ELT 8(46061)
Ortho ELT 8/DS(46062)
Ortho ELT 8/WS(46063)
Ortho ELT 800/WS(46065)
Roche Cobas Argos(55039)
Roche Cobas Argos 5 Diff(55093)
Roche Cobas HELIOS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos ST(55060)
Roche Cobas Minos STE(55042)
Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)
Sequoia Turner 1600(58035)
Sequoia Turner 700(58036)
Sequoia Turner 900(58037)
Seradyn Seragen Quick Count(58089)
Seradyn Seragen Quick Count Plus II(58172)
Serono Baker Series 130(58233)
Serono Baker Series 150(58234)
Serono Baker Series 170(58235)
Serono Baker Series 5000(58236)
Serono Baker Series 7000(58237)
Serono Baker System 7500(58239)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Serono Diagnostics 9000 Rx(58249)
Sysmex CC–108(58111)
Sysmex CC–110(58112)
Sysmex CC–120(58208)
Sysmex CC–130(58071)
Sysmex CC–150(58072)
Sysmex CC–170(58110)
Sysmex CC–180(58073)

Sysmex CC–700(58074)
Sysmex CC–720(58075)
Sysmex CC–780(58076)
Sysmex CC–800(58109)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)
Sysmex E–5000(58078)
Sysmex F–300(58205)
Sysmex F–500(58206)
Sysmex F–800(58202)
Sysmex K–1000(58079)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Sysmex PL–110(58113)
Sysmex R–1000(58081)
Sysmex R–3000(58129)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.1 Jr(61052)
Technicon H.1E System(61043)
Technicon H.2 System(61038)

Analyte: (5506) Reticulocyte Count

Test System, Assay, Examination

All Manual Reticulocyte Count Test Systems and Procedures(04125)
Sysmex R–1000(58081)
Sysmex R–3000(58129)

Analyte: (5822) Semen

Test System, Assay, Examination

All Manual Semen Analyses (presence or absence only)(04356)
Hamilton-Thorn HTM-IVOS (count and motility only)(25113)

Analyte: (6105) Thrombin Time

Test System, Assay, Examination

Bio/Data MCA 210(07282)
Diagnostica Stago ST4(13218)
General Diagnostics Coag-A-Mate X2(22057)
Helena Laboratories Cascade 480(25002)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 1000(28074)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
International Technidyne Factor VI(28093)
International Technidyne Hemochron 400(28094)
International Technidyne Hemochron 401(28095)
International Technidyne Hemochron 800(28096)
International Technidyne Hemochron 801(28097)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor CoaData 3000(37066)
Logos elvi 818 Digiclot(37013)
Logos elvi 819 Multi Clot(37014)
Logos elvi 820 Digiclot II(37015)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 650(40150)
Medical Laboratory MLA Electra 700(40038)
Medical Laboratory MLA Electra 750(40039)
Medical Laboratory MLA Electra 900(40041)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Coag-A-Mate RA4(46019)
Organon Teknika Coag-A-Mate XC(46021)
Organon Teknika Coag-A-Mate XC Plus(46022)
Organon Teknika Coag-A-Mate XM(46023)
Ortho Koagulab 16S(46074)
Ortho Koagulab 32–S(46123)
Ortho Koagulab 60–S(46122)
Sigma AccuStasis 1000(58049)
Sigma AccuStasis 2000(58050)
TECO Coatron P2(61065)
TECO Coatron II(61047)
TECO Coatron Jr(61048)

Analyte: (7002) White Blood Cell Count (Leukocyte Count) (WBC)

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 300(04228)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 400(04230)
Abbott Cell-Dyn 500(04231)
Abbott Cell-Dyn 610(04232)
Abbott Cell-Dyn 700(04233)
Abbott Cell-Dyn 800(04234)
Abbott Cell-Dyn 900(04235)
Baker 8000(07019)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Baker JTB 500A(07421)
Baker JTB 700A(07422)
Becton Dickinson QBC(07176)
Becton Dickinson QBC AutoRead(07104)
Becton Dickinson QBC HemaScan(07428)
Becton Dickinson QBC II(07177)
Becton Dickinson QBC II Plus(07178)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QBC Reference(07180)
Bio-Chem Laboratory Systems ATAC 4300 Cell Counter(07242)
Bio-Dynamics CellTrak 2(07435)
Bio-Dynamics CellTrak 3(07436)
Bio-Dynamics CellTrak 5(07437)
Clay Adams HA–3(10101)
Clay Adams HA–5(10102)
Coulter 530(10066)
Coulter 560(10067)
Coulter 770(10068)
Coulter CBC4(10069)
Coulter CBC5(10070)
Coulter Hemo-W(10111)
Coulter JR(10181)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter M430(10077)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S(10116)
Coulter S Plus(10081)
Coulter S Plus II(10082)
Coulter S Plus III(10083)
Coulter S Plus IV(10084)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus Jr.(10086)
Coulter S Plus V(10087)
Coulter S Plus VI/STKR(10088)
Coulter S SR(10118)
Coulter S550(10089)
Coulter S560(10119)
Coulter S7120(10120)
Coulter S770(10121)
Coulter S790(10122)
Coulter S880(10090)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter ZBI(10126)
Coulter ZBI6(10127)
Coulter ZF(10128)
Coulter ZF5(10129)
Coulter ZM(10130)
Danam Datacell-18(13093)
Danam Datacell-18/AS–30(13094)
Danam HC–1020(13096)
Danam HC–310(13097)
Danam HC–510(13098)
Danam HC–510/HD11(13099)
Danam HC–720(13100)
Danam HC–820/HD11(13101)
Danam HC–820/HD21(13102)
Danam SA–1000(13103)
Danam Vector 5(13104)
Danam Vector 6(13105)
Danam Vector 6 Plus(13106)
Danam Vector 8(13107)
Danam Vector 8 Plus(13108)
Electronucleonics Cellstar(16003)
Infolab I–1100(28129)
Infolab I–1800(28130)
Infolab I–500(28090)
Infolab I–900(28091)
Instrumentation Laboratory IL Cellect 7(28228)
Instrumentation Laboratory IL Cellect 8(28229)
Instrumentation Laboratory IL Cellect 8E(28230)
Nova Celltrak 11(43024)
Nova Celltrak 12(43025)
Nova Celltrak 2(43026)
Nova Celltrak 2/6(43027)
Ortho ELT 15(46059)
Ortho ELT 1500(46060)
Ortho ELT 8(46061)
Ortho ELT 8/DS(46062)
Ortho ELT 8/WS(46063)
Ortho ELT 800(46064)
Ortho ELT 800/WS(46065)
Roche Cobas Argos(55039)
Roche Cobas Argos5 Diff(55093)
Roche Cobas HELICS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos ST(55060)
Roche Cobas Minos STE(55042)

Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)
Sequoia Turner 1600(58035)
Sequoia Turner 700(58036)
Sequoia Turner 900(58037)
Seradyn Seragen Quick Count(58089)
Seradyn Seragen Quick Count Plus II(58172)
Serono Baker Series 130(58233)
Serono Baker Series 150(58234)
Serono Baker Series 170(58235)
Serono Baker Series 5000(58236)
Serono Baker Series 7000(58237)
Serono Baker System 7500(58239)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Serono Diagnostics 9000 Rx(58249)
Sysmex CC–108(58111)
Sysmex CC–110(58112)
Sysmex CC–120(58208)
Sysmex CC–130(58071)
Sysmex CC–150(58072)
Sysmex CC–170(58110)
Sysmex CC–180(58073)
Sysmex CC–700(58074)
Sysmex CC–720(58075)
Sysmex CC–780(58076)
Sysmex CC–800(58109)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)
Sysmex E–5000(58078)
Sysmex F–300(58205)
Sysmex F–500(58206)
Sysmex F–800(58202)
Sysmex K–1000(58079)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Sysmex PL–110(58113)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.1 Jr(61052)
Technicon H.1E System(61043)
Technicon H.2 System(61038)

Analyte: (7001) White Blood Cell Differential [WBC Diff]

Test System, Assay, Examination

Abbott Cell-Dyn 1400(04225)
Abbott Cell-Dyn 1500(04226)
Abbott Cell-Dyn 1600(04227)
Abbott Cell-Dyn 1600 CS(04238)
Abbott Cell-Dyn 2000 CS(04239)
Abbott Cell-Dyn 2000 SL(04240)
Abbott Cell-Dyn 3000 CS(04241)
Abbott Cell-Dyn 3000 SL(04242)
Abbott Cell-Dyn 3300 CS(04273)
Abbott Cell-Dyn 3300 SL(04272)
Abbott Cell-Dyn 3500 CS(04327)
Abbott Cell-Dyn 3500 SL(04287)
Abbott Cell-Dyn 610(04232)
All Manual WBC Diff Procedures-No interpret. atypical cells(04126)
Baker 9000(07020)
Baker 9000 Ax(07182)
Baker 9000 Plus(07183)
Baker 9000 Rx(07184)
Becton Dickinson QBC(07176)
Becton Dickinson QBC AutoRead(07104)
Becton Dickinson QBC II(07177)
Becton Dickinson QBC II Plus(07178)
Becton Dickinson QBC Plus(07179)
Becton Dickinson QBC Reference(07180)
Coulter JS(10073)
Coulter JT(10074)
Coulter JT2(10075)
Coulter JT3(10076)
Coulter MAXM(10078)
Coulter MD16(10177)
Coulter S Plus IVW/DIF(10085)
Coulter S Plus VI/STKR(10088)
Coulter ST(10091)
Coulter STKR(10092)
Coulter STKS(10093)
Coulter T540(10094)
Coulter T660(10095)
Coulter T890(10096)
Coulter VCS(10125)
Danam Datacell-18(13093)
Danam Datacell-18/AS–30(13094)
Danam HC–1020(13096)
Danam Vector 8 Plus(13108)
Infolab I–1100(28129)
Infolab I–1800(28130)
Nova Celltrak 12(43025)
Roche Cobas Argos(55039)
Roche Cobas Argos5 Diff(55093)
Roche Cobas HELIOS 5 DIFF(55069)
Roche Cobas Helios(55094)
Roche Cobas Minos STEL(55061)
Roche Cobas Minos STX(55043)
Serono Diagnostics 8000(58245)
Serono Diagnostics 9000(58246)
Serono Diagnostics 9000 Ax(58247)
Serono Diagnostics 9000 Plus(58248)
Sysmex CC–800 with PDA–410(58276)
Sysmex E–2500(58077)
Sysmex E–5000(58078)
Sysmex F–800(58202)
Sysmex K–1000 with PDA upgrade(58277)
Sysmex M–2000(58207)
Sysmex NE–1500(58204)
Sysmex NE–5500(58203)
Sysmex NE–8000(58080)
Technicon H 6000(61008)
Technicon H.1(61009)
Technicon H.2 System(61038)

Analyte: (7003) Whole Blood Clotting Time

Test System, Assay, Examination

Haemoscope Computerized Thromboelastograph(25128)
Haemoscope Thromboelastograph (visual result)(25037)
Lee-White Clotting Time(37059)
Logos elvi 816 Bi Clot (visual result)(37020)
Sienco SONOCLOT Coagulation Analyzer (visual result)(58124)
Sienco SONOCLOT II Surgical Analyzer (visual result)(58125)

Speciality/Subspeciality: Immunohematology

Analyte: (0402) ABO Group—RBC

Test System, Assay, Examination

Amtec Anti-A, Anti-B, Anti-A,B (slide, tube)(04169)
Amtec Anti-A1 Lectin (slide, tube)(04170)
Amtec CM-Tec Anti-A, Anti-B, Anti-A,B (microwell)(04179)
Amtec CM-Tec Anti-A, Anti-B, Anti-A,B (tube)(04180)
BCA Anti-A, Anti-B, Anti-A,B (microplate)(07001)
BCA Anti-A, Anti-B, Anti-A,B (slide, tube)(07002)
BCA Anti-A1 Lectin (slide, tube)(07003)
Dade Anti-A, Anti-B, Anti-A,B (microplate)(13001)
Dade Anti-A, Anti-B, Anti-A,B (slide, tube)(13002)
Dade Mono-Type Anti-A, Anti-B, Anti-A+B (microplate)(13015)
Dade Mono-Type Anti-A, Anti-B, Anti-A+B (slide, tube)(13016)
Gamma Anti-A, Anti-B, Anti-A,B (slide, tube)(22001)
Gamma Anti-A1 Lectin (slide, tube)(22002)
Gamma Omni-Series II Anti-A, Anti-B, Anti-A,B (microwell)(22020)
Gamma Omni-Series II Anti-A, Anti-B, Anti-A,B (tube)(22021)
Gamma's Gamma-clone Anti-A, Anti-B, Anti-A+B (microwell)(22033)
Gamma's Gamma-clone Anti-A, Anti-B, Anti-A+B (slide, tube)(22034)
Immucor Anti-A, Anti-B, Anti-A,B (microplate)(28002)
Immucor Anti-A, Anti-B, Anti-A,B (slide, tube)(28003)
Immucor Anti-A, Anti-B, Anti-A,B - murine (microplate)(28004)
Immucor Anti-A, Anti-B, Anti-A,B - murine (slide, tube)(28005)
Immucor Anti-A1 (slide, tube)(28006)
Ortho Anti-A1 Lectin (slide, tube)(46038)
Ortho BioClone Anti-A, Anti-B, Anti-A+B (microplate)(46043)
Ortho BioClone Anti-A, Anti-B, Anti-A+B (slide, tube)(46044)

Analyte: (0403) ABO Group Confirmation—Serum, Plasma

Test System, Assay, Examination

Amtec Serum Grouping Cells(04188)
BCA Confirmcells and Versa Cells(07014)
Dade Reverse-Cyte (microplate)(13020)
Dade Reverse-Cyte (tube)(13021)
Gamma Reverse Group (microwell)(22027)
Gamma Reverse Group (tube)(22028)
Immucor Referencells(28023)
Ortho Affirmagen—with or without Ortho A2 Cells(46037)

Analyte: (1301) D (Rho) Type

Test System, Assay, Examination

Amtec Anti-D (slide, rapid tube)(04171)
Amtec CM-Tec Anti-D (microwell)(04181)
Amtec CM-Tec Anti-D (slide, saline tube)(04182)
BCA Anti-D (saline tube)(07004)
BCA Anti-D (slide, rapid tube)(07005)
BCA UltraSera Anti-D (microplate)(07016)
BCA UltraSera Anti-D (slide, tube)(07017)
Dade Anti-D (microplate)(13003)
Dade Anti-D (slide, rapid tube)(13004)
Dade Chemically Modified Anti-D (microplate)(13009)
Dade Chemically Modified Anti-D (slide, tube)(13010)
Gamma Anti-D (saline tube)(22003)
Gamma Anti-D (slide, modified tube)(22004)
Gamma RST/Omni-Series II Anti-D (microwell)(22024)
Gamma RST/Omni-Series II Anti-D (slide, saline tube)(22025)
Gamma's Gamma-clone Anti-D (microwell)(22035)
Gamma's Gamma-clone Anti-D (slide, tube)(22036)
Immucor Anti-D (microplate)(28007)
Immucor Anti-D (saline tube)(28008)
Immucor Anti-D (slide, tube)(28009)
Immucor Anti-D Chem-D (microplate)(28011)

Immucor Anti-D Chem-D (slide, tube)(28012)
Ortho Anti-D (slide, modified tube)(46039)
Ortho BioClone Anti-D (microplate)(46045)
Ortho BioClone Anti-D (slide, rapid tube)(46046)

Analyte: (1308) Du (Weak D RBC Antigen)

Test System, Assay, Examination

Amtec Anti-D—Du (rapid tube)(04172)
Amtec CM-Tec Anti-D—Du (saline tube)(04183)
BCA Anti-D—Du (rapid tube)(07006)
BCA UltraSera Anti-D—Du (tube)(07018)
Dade Anti-D—Du (rapid tube)(13005)
Dade Chemically Modified Anti-D—Du (tube)(13011)
Gamma Anti-D—Du (modified tube)(22005)
Gamma RST/Omni-Series II Anti-D—Du (saline tube)(22026)
Gamma's Gamma-clone Anti-D—Du (tube)(22037)
Immucor Anti-D—Du (tube)(28010)
Immucor Anti-D Chem-D—Du (tube)(28013)
Ortho Anti-D—Du (modified tube)(46040)
Ortho BioClone Anti-D—Du (rapid tube)(46047)

Analyte: (2816) Isohemagglutinins

Test System, Assay, Examination

All Manual Isohemagglt. Tube Titrations, untreated serum(04279)

Analyte:(5501)RBC Antigen Type Other Than A or B

Test System, Assay, Examination

American Red Cross Bld Group Reagents—Indirect Antiglobulin(04281)
American Red Cross Blood Grouping Reagents—direct Ag(04284)
Amtec Anti-H Lectin—RBC(04173)
Amtec Anti-N Lectin(04175)
Amtec Blood Grouping Reagents (microwell) direct Ag type(04176)
Amtec Blood Grouping Reagents (slide, tube) direct Ag type(04177)
Amtec Blood Grouping Reagents—Indirect Antiglobulin Test(04178)
BCA Anti-H Lectin—RBC(07007)
BCA Anti-N Lectin(07010)
BCA Blood Grouping Reagents (slide, tube)—direct Ag type(07012)
BCA Blood Grouping Reagents—Indirect Antiglobulin Test(07013)
Dade Blood Grouping Reagent Chemically Modified (slide, tube)(13006)
Dade Blood Grouping Reagents (slide, tube)—direct Ag type(13007)
Dade Blood Grouping Reagents—Indirect Antiglobulin Test(13008)
Dade Lectin-H—RBC, qualitative(13012)
Dade Lectin-H—RBC, quantitative(13114)
Gamma Anti-H Lectin—RBC(22006)
Gamma Anti-N Lectin(22009)
Gamma Blood Grouping Reagents (slide, tube)—direct Ag type(22013)
Gamma Blood Grouping Reagents—Indirect Antiglobulin Test(22014)
Gamma RST-Series Blood Grouping Reagents (slide, tube)(22023)
Gamma's Gamma ID-series Blood Grouping Reagents(22032)
Gamma's Gamma-clone Blood Grouping Reagents (microwell)(22038)
Gamma's Gamma-clone Blood Grouping Reagents (tube)(22039)
Immucor Anti-N Lectin(28014)
Immucor Blood Grouping Reagents (microplate)—dir. Ag type(28015)
Immucor Blood Grouping Reagents (slide, tube)—dir. Ag type(28016)
Immucor Blood Grouping Reagents—Indirect Antiglobulin(28017)
Ortho BioClone Blood Grouping Reagents—direct Ag type(46048)
Ortho Blood Grouping Reagents (slide, tube)—dir. Ag type(46049)
Ortho Blood Grouping Reagents—Indirect Antiglobulin Test(46050)

Analyte: (6401) Unexpected RBC Antibody—Detection—RBC

Test System, Assay, Examination

All Manual Immunohematology Direct Antiglobulin Tube Tests(04116)

Analyte: (6412) Unexpected RBC Antibody—Detection-Serum, Plasma

Test System, Assay, Examination

Amtec Screening Cells—SAL/ALB/LISS/PEG/IAT(04187)
BCA Bio-Cells—SAL/ALB/LISS/PEG/IAT(07011)
BCA Spectrogen—SAL/ALB/LISS/PEG/IAT(07015)
Dade Search-Cyte—SAL/ALB/LISS/PEG/IAT(13022)
Dade Search-Cyte Plus—SAL/ALB/LISS/PEG/IAT(13023)
Dade Search-Cyte TCS—SAL/ALB/LISS/PEG/IAT(13024)
Gamma Duet—SAL/ALB/LISS/PEG/IAT(22015)
Gamma Pool—SAL/ALB/LISS/PEG/IAT(22022)
Gamma Trio—SAL/ALB/LISS/PEG/IAT(22030)
Gamma r-set—SAL/ALB/LISS/PEG/IAT(22031)
Immucor Hemantigen—SAL/ALB/LISS/PEG/IAT(28020)
Immucor Panoscreen—SAL/ALB/LISS/PEG/IAT(28021)
Ortho Pooled Screening Cells—SAL/ALB/LISS/PEG/IAT(46079)
Ortho Selectogen—SAL/ALB/LISS/PEG/IAT(46081)
Ortho Surgiscreen—SAL/ALB/LISS/PEG/IAT(46082)

SPECIALITY/SUBSPECIALITY: Mycobacteriology

Analyte: (4024) Mycobacteria

Test System, Assay, Examination

All Direct Acid-Fast Smear Test Systems and Procedures(04100)

SPECIALITY/SUBSPECIALITY: Mycology

Analyte: (1302) Dermatophytes

Test System, Assay, Examination

Acuderm inc. Acu-DTM(04427)
Adams Scientific Selecticult-DTM(04251)
Becton Dickinson BBL Dermatophyte Test Medium(07079)
Culture Kits, Inc. Derm-Kit(10135)
Difco Bacto—DTM Medium(13221)
Hardy Diagnostics Dermatophyte Test Medium(25001)
Incstar Dermatophyte Test Medium(28041)
Orion Diagnostica Oricult-DTM (conventional method)(46115)
Remel DTM(55105)

Analyte: (1909) Fungi

Test System, Assay, Examination

Becton Dickinson BACTEC NR-860(07207)

Analyte: (1910) Fungi—Fungal Elements Only

Test System, Assay, Examination

All KOH Preparations (bright-field light microscope)(04119)
All Wet Mount Preparations for Fungi(04313)

Analyte: (7603) Yeast, Candida only

Test System, Assay, Examination

Becton Dickinson Directigen 1-2-3 Disseminated Candidiasis(07090)
Bio-Medical BIOCARD Candida (direct antigen/visual)(07205)
Centocar Diagnostics Vagitest (direct Ag/visual)(10202)
Culture Kits, Inc. Candi-Kit(10097)
Difco Candida Latex Test (direct antigen/visual)(13120)
Leeco Diagnostics Super Duo (direct antigen/visual)(37017)
Medical Technology Corp. CandidaSure (direct Ag/visual)(40091)
Miles Diagnostic Labs MicroStix-Candida(40104)
SmithKline Isocult Combination Culture Test(58099)
SmithKline Isocult Diagnostic Culturing System(58200)

SPECIALITY/SUBSPECIALITY: Parasitology

Analyte: (1602) Enterobius Vermicularis

Test System, Assay, Examination

All Pinworm Preparations(04129)

Analyte: (2813) Intestinal Parasites

Test System, Assay, Examination

Alexon ProSpecT Giardia Rapid Assay (direct antigen/visual)(04364)
All Wet Mount Preparations—Presence/Absence of Parasites(04261)

Analyte: (6116) Trichomonas

Test System, Assay, Examination

All Direct Wet Mount Preparations(04108)
Biomed Diagnostics InPouch TV (direct wet mount)(07430)
Biomed Diagnostics InPouch TV (using selective media)(07431)
Centocar Diagnostics Vagitest (direct Ag/visual)(10202)
Leeco Diagnostics Super Duo (direct antigen/visual)(37017)
MicroProbe Affirm VP Microbial Identification Test Kit(40135)
SmithKline Isocult Combination Culture Test(58099)
SmithKline Isocult Diagnostic Culturing System(58200)

SPECIALITY/SUBSPECIALITY: Toxicology/TDM

Analyte: (0406) Acetaminophen

Test System, Assay, Examination

Abbott ADX(04022)

Abbott Spectrum(04067)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Paramax(07048)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Cibe Corning 550 Express(10038)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon AXON(61001)
Technicon RA 1000(61010)
Technicon RA 500(61012)

Analyte: (0425) Amikacin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Boehringer Mannheim Hitachi 704(07161)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (0428) Amphetamines

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Immunotech Microzyme EIA Visual Procedure(28182)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (0701) Barbiturates

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (0702) Benzodiazepines

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)

Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107) Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (1058) Caffeine

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704(07161)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1049) Cancer Antigen 125 (CA 125)

Test System, Assay, Examination

Boehringer Mannheim Hitachi 717(07163)

Analyte: (1009) Cannabinoids (THC)

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Drug Screening Systems microLINE Screens(13259)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Immunotech Microzyme EIA Visual Procedure(28182)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (1010) Carbamazepine

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning Biotrack 516(10048)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syntex Medical Diagnostics AccuLevel(58132)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (1011) Carbamazepine, Free

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (1063) Chloramphenicol

Test System, Assay, Examination

Boehringer Mannheim Hitachi 704(07161)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)

Analyte: (1023) Cocaine Metabolites

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Drug Screening Systems microLINE Screens(13259)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Immunotech Microzyme EIA Visual Procedure(28182)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)

Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (1042) Cotinine

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (1037) Cyclosporine

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (1303) Digitoxin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1304) Digoxin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Ames Clinimate—TDA(04149)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Becton Dickinson Affinity(07075)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim ES 300(07160)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning ACS 180(10046)
Cirrus Diagnostics Immulite(10159)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Serono Baker SR 1(58090)
Serono Diagnostics SR 1(58250)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1305) Disopyramide

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Boehringer Mannheim Hitachi 704(07161)
EM Diagnostic Systems EPOS(16015)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1307) Drugs of Abuse

Test System, Assay, Examination

Environmental Diagnostics EZ-SCREEN(16018)

Analyte: (1608) Ethanol (Alcohol)

Test System, Assay, Examination

Abbott ADX(04022)
Abbott Spectrum(04067)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Enzymatics Q.E.D. A150 Saliva Alcohol Test(16013)
Enzymatics Q.E.D. A350 Saliva Alcohol Test(16012)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche ON–SITE Alcohol Test(55097)
Syva Emit ETS Plus(58115)
TOXI–LAB Alcohol Procedure(61064)
TOXI–LAB ON–SITE Alcohol(61050)
Technicon Assist(61002)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1609) Ethosuximide

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
BioAutoMed ASCA(07192)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)

Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (1906) Flecainide

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (2202) Gentamicin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 911(07377)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (2819) Isonicotinic Acid

Test System, Assay, Examination

Difco Bacto INH Test Strips(13214)
DynaGen MYCODYN URITEC Test Strips(13264)

Analyte: (3401) Kanamycin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (3710) Lidocaine

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
BioAutoMed ASCA(07192)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4003) Methadone

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4004) Methamphetamines

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Ciba Corning 550 Express(10038)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Drug Screening Systems microLINE Screens(13259)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4005) Methaqualone

Test System, Assay, Examination

Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)

Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4006) Methotrexate

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Roche Cobas Bio(55100)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)

Analyte: (4020) Morphine

Test System, Assay, Examination

Roche Abuscreen ONTRAK(55099)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)

Analyte: (4301) N-Acetylprocainamide (NAPA)

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4313) Netilmycin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4601) Opiates

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Drug Screening Systems microLINE Screens(13259)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Immunotech Microzyme EIA Visual Procedure(28182)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
V-Tech Target Opiates-R (Reader)(67055)
V-Tech Target Opiates-V (Visual)(67054)
Wako Diagnostics 30R(70002)

Analyte: (4901) Phencyclidine (PCP)

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Biosite Triage Panel for Drugs of Abuse(07195)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
Drug Screening Systems microLINE Screens(13259)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Immunotech Microzyme EIA Visual Procedure(28182)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Abuscreen ONTRAK(55099)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4902) Phenobarbital

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Stratus(07050)
Baxter Stratus II(07051)

Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syntex Medical Diagnostics AccuLevel(58132)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4903) Phenytoin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott Vision(04083)
Ames Clinimate—TDA(04149)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning Biotrack 516(10048)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syntex Medical Diagnostics AccuLevel(58132)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (4904) Phenytoin, Free

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (4912) Primidone

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4913) Procainamide

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 717(07163)
Ciba Corning 550 Express(10038)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4917) Propoxyphene

Test System, Assay, Examination

Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)

Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon Chem 1(61003)
Technicon Chem 1 Plus(61036)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (5202) Quinidine

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (5801) Salicylates

Test System, Assay, Examination

Abbott ADX(04022)
Abbott Spectrum(04067)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sclavo Uni-Fast System Analyzer(58193)
Sclavo Uni-Fast2 System Analyzer(58194)
Technicon AXON(61001)
Technicon RA 1000(61010)
Technicon RA 500(61012)

Analyte: (5816) Streptomycin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (6104) Theophylline

Test System, Assay, Examination

Abbott IMX(04056)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott Vision(04083)
Access Medical Systems dChem(04309)
Ames Clinimate—TDA(04149)
Ames Seralyzer(04154)
Ames Seralyzer III(04155)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning Biotrack 516(10048)
Coulter Dacos(10106)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Analyst(13085)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS(16016)
EM Diagnostic Systems EASY ST(16017)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Kodak Ektachem 250(34037)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Kodak Ektachem DT SC Module(34017)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Photest Diagnostics dChem(49050)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Sanofi Pasteur Access Immunoassay System(58257)
Syntex Medical Diagnostics AccuLevel(58132)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Diagnostics 30R(70002)

Analyte: (6112) Tobramycin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Baxter Stratus(07050)
Baxter Stratus II(07051)
Baxter Stratus IIntellect(07376)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)

Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Olympus AU 800(46110)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon Immuno 1 System(61042)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Analyte: (6117) Tricyclic Antidepressants
Test System, Assay, Examination
Abbott ADX(04022)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio FP(55101)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Syva Emit ETS Plus(58115)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (6701) Valproic Acid

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Array 360(07052)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
BioAutoMed ASCA(07192)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
EM Diagnostic Systems EPOS(16015)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
PB Diagnostics Systems OPUS(49001)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (6702) Valproic Acid, Free

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)

Analyte: (6703) Vancomycin

Test System, Assay, Examination

Abbott TDX(04071)
Abbott TDX FLx(04072)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Roche Cobas Bio(55100)
Roche Cobas Bio FP(55101)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Technicon RA 1000(61010)
Technicon RA 500(61012)
Technicon RA XT(61013)

SPECIALITY/SUBSPECIALITY: Urinalysis

Analyte: (6125) Total Solids (Specific Gravity)

Test System, Assay, Examination

All Manual Specific Gravities by Urinometers(04283)
American Optical TS Meter(04285)
Behring Rapimat II Digital Refractometer(07122)
Biovation Model 300 Digital Urinometer(07251)
Reichert TS Meter(55071)

Analyte: (6408) Urinary Protein, Qualitative

Test System, Assay, Examination

All Manual Acid Precipitation Urine Protein Screening Tests(04286)
Sclavo Albumin Screen(58098)

Analyte: (6405) Urinary Sediment Microscopic Elements

Test System, Assay, Examination

All Manual Microscopic Analysis of Urinary Sediment(04133)
IRIS The Yellow IRIS model 250 (Squamous/WBC/RBC cnt. only)(28117)
IRIS The Yellow IRIS model 450 (Squamous/WBC/RBC cnt. only)(28118)

Analyte: (6406) Urine Qualitative Dipstick Chemistries

Test System, Assay, Examination

Ames Clini-tek Reflectance Photometer(04351)
Ames Clinitek 10(04280)
Ames Clinitek 100(04151)
Ames Clinitek 200(04282)
Ames Clinitek 200 Plus(04152)
Ames Clinitek Auto 2000(04350)
Behring Rapimat II(07121)
Behring Rapimat II T(07123)
Boehringer Mannheim Chemstrip Urine Analyzer(07380)
IRIS The Yellow IRIS model 250 (Squamous/WBC/RBC cnt. only)(28117)
IRIS The Yellow IRIS model 450 (Squamous/WBC/RBC cnt. only)(28118)

SPECIALITY/SUBSPECIALITY: Virology

Analyte: (2529) Herpes Simplex

Test System, Assay, Examination

Kodak SureCell (direct antigen/visual)(34020)
Vitek Systems Vidas (direct antigen)(67038)
Wampole Virogen Herpes LA Slide Test (dir Ag/visual)(70018)

Analyte: (2549) Herpetic Inclusion Bodies for Herpes

Test System, Assay, Examination

Tzanck Smears(61092)

Analyte: (5503) Respiratory Syncytial Virus

Test System, Assay, Examination

Abbott TestPack RSV (EIA) (direct antigen/visual)(04076)
Becton Dickinson Directigen RSV (EIA) (dir Ag/visual)(07097)

Analyte: (5505) Respiratory Viruses (Influenza A&B, Parainfluenza)

Test System, Assay, Examination

Becton Dickinson Directigen Flu A (direct antigen/visual)(07092)
Becton Dickinson QTest Influenza A (direct antigen/visual)(07202)

Analyte: (5509) Rotavirus

Test System, Assay, Examination

Bio-Medical ANI Biocard Rotovirus (direct antigen/visual)(07130)
Isolab RotaStat LA Slide Test (direct Ag/visual)(28108)
Medical Technology Corp. Rotalex (direct antigen/visual)(40052)
Meridian Diag. Meritec Rotavirus Latex (dir Ag/visual)(40059)

V-Tech Target Rotavirus (direct antigen/visual)(67004)
Vitek Systems SLIDEX Rota-kit 2 (direct antigen/visual)(67034)
Wampole Virogen Rotatest (direct antigen/visual)(70019)
Wellcome Rotavirus Latex Test (direct antigen/visual)(70025)

COMPLEXITY: HIGH

SPECIALITY/SUBSPECIALITY: Bacteriology

Analyte: (0412) Aerobic &/or Anaerobic Organisms—Unlimited Sources

Test System, Assay, Examination

Abbott MS–2/Advantage (including culture)(04057)
Abbott Quantum II System (including culture)(04059)
All Manual Nucleic Acid Analysis Test Systems & Procedures(04365)
All Organism ID & Antimicro. Suscept. Testing from Culture(04372)
Analytab API 20 Streptococcus (including culture)(04193)
Analytab API 20–A (including culture)(04194)
Analytab API ALADIN (including culture)(04256)
Analytab API An-Ident (including culture)(04196)
Analytab API Quad Ferm + (including culture)(04201)
Analytab API Rapid E (including culture)(04198)
Analytab API Rapid NFT (including culture)(04199)
Analytab API Rapid Strep (including culture)(04200)
Analytab API UniScept System (including culture)(04206)
Analytab API ZYM Microorganism Differentiation (inc. cult.)(04207)
Analytab Staph-Ident (including culture)(04217)
Baxter AutoSCAN Walk/Away (including culture)(07023)
Baxter Haemophilus/Neisseria Identif-Panel (including cult)(07037)
Baxter MicroScan AutoSCAN 4 (including culture)(07042)
Becton Dickinson BBL Minitek Enterobact. III Set (inc cult)(07360)
Becton Dickinson BBL Minitek Gram Positive Set (inc. cult)(07361)
Becton Dickinson BBL Minitek Neisseria Set (inc. culture)(07362)
Becton Dickinson Sceptor System (including culture)(07203)
BioClinical Systems Bullseye OB/GYN Plate (incl. culture)(07267)
BioClinical Systems UniSystem Bio-General (incl. culture)(07268)
Innovative Diag. Systems IDS Rapid SS/U (including culture)(28053)
Innovative Diag. Systems IDS Rapid STR (including culture)(28054)
Innovative Diag. Systems Modified IDS Rapid NH (inc. cult.)(28056)
Innovative Diag. Systems Rap ANA II (including culture)(28059)
Innovative Diag. Systems Rap NF Plus (including culture)(28060)
Innovative Diag. Systems Rapid NF (including culture)(28061)
Micro Media Sys. Bacterial ID Panels/G.Neg/G.Pos (inc. cult)(40073)
Organon Autobac Series II (including culture)(46004)
Pasco MIC/ID Data Management System (including culture)(49017)
Pro-Lab Neisseria/Branhamella Diff. Test (including culture)(49012)
Radiometer Sensititre (including culture)(55009)
Remel Haemophilus ID Test Kit (including culture)(55025)
Roche Enterotube II (including culture)(55047)
Troy Biologicals Bacti-Bio General Plate (incl. culture)(61029)
Troy Biologicals Bacti-Star II Vaginal Plate (incl culture)(61031)
Troy Biologicals Bacti-Star Vaginal Plate (incl. culture)(61032)
Troy Biologicals Bacti-Vaginal Plate (including culture)(61033)
Unipath Oxoid Toxin Detect. Kit BCET-RPLA (inc cult./filt.)(64020)
Unipath Oxoid Toxin Detect. Kit PET-RPLA (inc cult/filtrate)(64005)
Unipath Oxoid Toxin Detect. Kit SET-RPLA (inc cult./filt.)(64021)
Unipath Oxoid Toxin Detect. Kit TST-RPLA (inc culture)(64006)
Unipath Oxoid Toxin Detect. Kit VET-RPLA (inc culture)(64007)
Vitek Systems Rapid E System (including culture)(67032)
Vitek Systems VITEK (including culture)(67035)

Analyte: (0413) Aerobic Organisms From Throat Specimens Only

Test System, Assay, Examination

Troy Biologicals Bacti Strep Screen Plus (incl. culture)(61026)
Troy Biologicals Bacti-Star II Throat Plate (incl. culture)(61027)
Troy Biologicals Bacti-Star Throat Plate (incl. culture)(61028)
Troy Biologicals Bacti-Throat Plate (including culture)(61030)

Analyte: (0478) Aerobic/Anaerobic Organ.—Other than Ureth/Endocerv

Test System, Assay, Examination

All Gram Stain Procedures—Other than Urethral/Endocerv.(04299)

Analyte: (0715) Bordetella Pertussis/Parapertussis

Test System, Assay, Examination

Difco FA Bordetella Pertussis/Parapertussis (direct Ag.)(13168)
Difco FA Bordetella Pertussis/Parapertussis (inc. culture)(13115)

Analyte: (1006) Campylobacter

Test System, Assay, Examination

Becton Dickinson BBL Campyslide Test (including culture)(07078)
Gen-Probe AccuProbe (including culture)(22040)
Meridian Diagnostics Meritec-Campy(JCL) (including culture)(40067)

Analyte: (1016) Chlamydia

Test System, Assay, Examination

ADI Visuwell Chlamydia (direct antigen/spectrophotometric)(04002)
ADI Visuwell Chlamydia (direct antigen/visual)(04258)
Abbott COMMANDER System(04334)
Abbott Chlamydiazyme (EIA) (direct antigen/spectrophoto)(04044)
Abbott Chlamydiazyme (with blocking reagent)(04260)
All Organism Identification from Cell Culture(04331)
Analytab API IDEIA (direct antigen/spectrophotometric)(04300)
Analytab API IDEIA (direct antigen/visual)(04213)
Analytab API IMAGEN Chlamydia (direct antigen)(04214)
Baxter Bartels Chlamydia (EIA) (direct antigen/spectro)(07026)
Baxter Bartels Chlamydiae FA Monoclonal (inc. cell culture)(07027)
Baxter Bartels Chlamydiae Immunoperoxidase (inc. cell cult)(07028)
Cellabs Diagnostics Chlamydia-Cel TWAR IFA (direct antigen)(10028)
Ciba Corning Magic Lite Chlamydia (dir antigen)(10056)
Ciba Corning Magic Lite Chlamydia (including cell culture)(10184)
Ciba Corning Magic Lite Chlamydia (with blocking reagent)(10179)
Diagnostic Prod.Crp. PDx Chlamydia Cult.Conf.(inc cell cul)(13125)
Diagnostic Products PathoDx Chlamydia trachomatis (dir. Ag)(13035)
Diagnostic Technology Chlamydia-Check Sys. (inc cell cult)(13219)
Diagnostic Technology Chlamydia-Check System (direct Ag)(13167)
Difco Chlamydia Direct Detection System (direct antigen)(13060)
Gen-Probe Pace2 (direct antigen)(22041)
Incstar Chlamydia Direct Test System (direct antigen)(28039)
Ortho Chlamydia (DFA) (direct antigen)(46052)
Ortho Chlamydia Antigen ELISA Test (dir Ag/spectrophoto)(46053)
Ortho Chlamydia Antigen ELISA Test (inc. cell cult/spectro)(46125)
Ortho Cultureset Chlamydia ID Kit (FA) (inc. cell culture)(46054)
Ortho Cultureset Chlamydia ID Kit (PAP) (inc. cell culture)(46055)
Sanofi/Kallestad Pathfinder (FA) (direct antigen)(58002)
Sanofi/Kallestad Pathfinder Chlamydia EIA Detection Kit(58220)
Sanofi/Kallestad Pathfnd. Chlamydia Microplate (dirAg/spec)(58003)
Scimedx Chlamydia Test Kit (direct antigen)(58018)
Sigma SIA Chlamydia (dir Ag/spectrophotometric)(58093)
Syva MicroTrak Chlamydia EIA (direct antigen/spectrophoto)(58084)
Syva MicroTrak Culture Confirmation IF Test (inc cell cult)(58085)
Syva MicroTrak Direct Specimen IF System (direct antigen)(58086)
Syva MicroTrak II Chlamydia EIA (Direct Ag/Spectrophoto)(58262)
Syva MicroTrak XL (58263)
Vitek Systems Vidas (direct antigen)(67038)
Wellcome Chlamyset (direct antigen)(70022)

Analyte: (1022) Clostridium Difficile

Test System, Assay, Examination

Advanced Clinical Diag. CDT Toxi Test (direct antigen)(04094)
Analytab C. difficile A+B ELISA Test Kit (direct antigen)(04333)
Baxter Bartels C. difficile Toxin A (EIA) (direct antigen)(07024)
Baxter Bartels Cytotoxicity Assay for C. difficile (dir Ag)(07029)
BioWhittaker TOX-A Test (direct antigen/spectro)(07432)
BioWhittaker TOX-A Test (direct antigen/visual)(07433)
Cambridge Biotech Cytoclone A & B (EIA) (direct antigen)(10007)
Meridian Premier C. difficile Toxin A (dir Ag/spectrophoto)(40092)
Meridian Premier C. difficile Toxin A (dir Ag/visual)(40093)

Analyte: (1612) Enterococcus

Test System, Assay, Examination

Gen-Probe AccuProbe (including culture)(22040)

Analyte: (1604) Escherichia Coli

Test System, Assay, Examination

Becton Dickinson BBL Eschericia coli (including culture)(07201)
Bio-Medical ANI E. coli 0157 Test (including culture)(07131)
Difco Bacto E. coli H H7 (including culture)(13116)
Difco Bacto E. coli O 0157 (including culture)(13117)
Difco Bacto E. coli O (including culture)(13126)
Difco Bacto E. coli OK (including culture)(13127)
Pro-Lab Diagnostics E. coli 0157 LA Test (including culture)(49010)
Roach Laboratories E. coli OK (including culture)(55092)
Unipath Oxoid E. coli 0157 Latex Kit (including culture)(64003)

Analyte: (2212) Gardnerella Vaginalis

Test System, Assay, Examination

MicroProbe Affirm VP Microbial Identification Test Kit(40135)

Analyte: (2542) Haemophilus Influenzae

Test System, Assay, Examination

Gen-Probe AccuProbe (including culture)(22040)

Analyte: (2509) Haemophilus Influenzae, Type A, C-F

Test System, Assay, Examination

Difco Bacto H. influenzae Set (including culture)(13222)
Difco FA H. influenzae Types A-F (direct antigen)(13156)
Karobio Phadebact Haemophilus (including culture)(34005)

Analyte: (2510) Haemophilus Influenzae, Type B

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit (bld cult supern)(07260)
Becton Dickinson Dir. Meningitis Indiv. Kit (bld cult supern)(07261)
Difco Bacto H. influenzae Set (including culture)(13222)
Difco FA H. influenzae Types A-F (direct antigen)(13156)
Karobio Phadebact Haemophilus (including culture)(34005)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (3706) Legionella

Test System, Assay, Examination

Binax Equate Legionella Urinary Antigen Kit (RIA)(07125)
Gen-Probe Legionella Rapid Diag. System (direct antigen)(22102)
Gen-Probe Legionella Rapid Diag. System (including culture)(22126)
Genetic Systems Legionella IFA Test Kit (direct antigen)(22065)
MarDx Legionella DFA (direct antigen)(40098)
MarDx Legionella DFA (including culture)(40128)
Medical Diag. Technologies Legionella (direct antigen)(40035)
Medical Diag. Technologies Legionella (including culture)(40129)
Meridian Diagnostics MERIFLUOR Legionella (direct antigen)(40096)
Meridian Diagnostics MERIFLUOR Legionella (incl. culture)(40127)
Organon Teknika Legionella DFA Kit I (direct antigen)(46099)
Organon Teknika Legionella DFA Kit I (including culture)(46124)
Pro-Lab Legionella Latex Ag (including culture)(49031)
Remel Legionella Poly-ID Test Kit (direct antigen)(55064)
Remel Legionella Poly-ID Test Kit (including culture)(55103)
Scimedx Legionella Test Kit/DFA (direct antigen)(58024)
Zeus Legionella DFA (direct antigen)(79012)

Analyte: (3719) Listeria Monocytogenes

Test System, Assay, Examination

Gen-Probe AccuProbe (including culture)(22040)

Analyte: (4022) Mycoplasma Pneumonia

Test System, Assay, Examination

Gen-Probe M. pneumoniae Rapid Diag. System (direct antigen)(22103)
Gen-Probe M. pneumoniae Rapid Diag. System (inc. culture)(22127)

Analyte: (4302) Neisseria Gonorrhoeae

Test System, Assay, Examination

Abbott Gonozyme (direct antigen/spectrophotometric)(04045)
Adams Scientific Identicult - Neisseria (including culture)(04088)
Baxter Bartels N. gonorrhoeae DF (including culture)(07033)
Difco FA N. gonorrhoeae (including culture)(13158)
Gen-Probe AccuProbe (including culture)(22040)
Gen-Probe Pace2 (direct antigen)(22041)
Gen-Probe Pace2 (including culture)(22144)
Incstar N. gonorrhoeae Fluoro-Kit (including culture)(28048)
Karobio Phadebact Monoclonal Gonococcus (including culture)(34006)
Meridian Diagnostics Meritec-GC (including culture)(40068)
New Horizons Gonogen (including culture)(43003)
New Horizons Gonogen II (including culture)(43004)
Syva MicroTrak N. gonorrhoeae Cult. Cofirm. (incl. culture)(58097)

Analyte: (4314) Neisseria Meningitidis

Test System, Assay, Examination:

Difco FA Meningococcus Poly (direct antigen)(13155)

Analyte: (4303) Neisseria Meningitidis (non-specific)

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)(13223)

Analyte: (4304) Neisseria Meningitidis, Group A

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit (bld cult supern)(07260)
Becton Dickinson N. Meningitidis Test (bld cult. supernate)(07262)
Difco Bacto Neisseria Meningitidis Set (including culture)(13223)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (4306) Neisseria Meningitidis, Group B

Test System, Assay, Examination

Difco Bacto Neisseria Meningitidis Set (including culture)(13223)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)

Analyte: (4307) Neisseria Meningitidis, Group B and E. Coli K1

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit (bld cult supern)(07260)
Becton Dickinson Dir. Meningitis Indiv. Kit (bld cult supern)(07261)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)
Wellcome Wellcogen Bacterial Ag Kit (including culture)(70088)

Analyte: (4308) Neisseria Meningitidis, Group C

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit (bld cult supern)(07260)
Becton Dickinson N. Meningitidis Test (bld cult. supernate)(07262)
Difco Bacto Neisseria Meningitidis Set (including culture)(13223)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (4311) Neisseria Meningitidis, Group W135

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit(bld cult supern)(07260)
Becton Dickinson N. Meningitidis Test (bld cult. supernate)(07262)
Difco Bacto Neisseria Meningitidis Set (including culture)(13223)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (4312) Neisseria Meningitidis, Group Y

Test System, Assay, Examination

Becton Dickinson Dir. Meningitis Combo Kit(bld cult supern)(07260)
Becton Dickinson N. Meningitidis Test (bld cult. supernate)(07262)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (5802) Salmonella

Test System, Assay, Examination

Analytab API SerImm Sure Salmonella (including culture)(04203)
Becton Dickinson BBL Salmonella Grouping (incl. culture)(07200)
Bio-Medical ANI Salmonella Test (including culture)(07132)
Difco Bacto Salmonella H (including culture)(13212)
Difco Bacto Salmonella O (including culture)(13118)
Difco FA Salmonella Panvalent (including culture broth)(13153)
Difco FA Salmonella Poly (including culture broth)(13154)
Roach Laboratories Salmonella Flagellar (H) (inc. culture)(55090)
Roach Laboratories Salmonella Somatic & Vi (inc. culture)(55091)
Wampole Bactigen Salmonella-Shigella (including culture)(70081)
Wellcome Wellcolex Colour Salmonella (including culture)(70034)

Analyte: (5804) Shigella

Test System, Assay, Examination

Becton Dickinson BBL Shigella Grouping (including culture)(07283)
Difco Bacto Shigella (including culture)(13174)
Roach Laboratories Shigella Grouping & Typing (inc. cult.)(55086)
Wampole Bactigen Salmonella-Shigella (including culture)(70081)
Wellcome Wellcolex Colour Shigella (including culture)(70035)

Analyte: (5807) Staphylococcus

Test System, Assay, Examination

Adams Scientific SeroStat II Staphylococcus (inc. culture)(04091)
Advanced Medical Technologies Rapi-Staph(including culture)(04098)
Analytab API Staphase III (including culture)(04205)
Baxter MicroScan StaphyLatex (including culture)(07047)
Becton Dickinson BBL Staphyloslide (including culture)(07082)
Bio-Medical ANI Staph aureus Test (including culture)(07133)
Carr-Scarborough Accu-Staph (including culture)(10023)
Difco Bacto Staph Latex Test (including culture)(13056)
Gen-Probe AccuProbe (including culture)(22040)
Immuno-Mycologics LA-Staph (including culture)(28034)
Innovative Diag. Systems IDS Staphylochrome (inc. culture)(28055)
Medical Diag. Technologies Staph Latex (including culture)(40036)
NCS Staphslide (including culture)(43001)
Regional Media Lab Hemastaph (including culture)(55015)
Unipath Oxoid Staphylase Test (including culture)(64019)
Vitek Systems RAPIDEC Staph (including culture)(67031)
Vitek Systems Slidex Staph-Kit (including culture)(67077)
Wellcome Staphaurex (including culture)(70026)

Analyte: (5808) Streptococcus Pneumoniae

Test System, Assay, Examination

Becton Dickinson BBL Pneumoslide (including culture)(07081)
Becton Dickinson Dir. Meningitis Combo Kit(bld cult supern)(07260)
Becton Dickinson Dir. Meningitis Indiv.Kit(bld cult supern)(07261)
Difco FA Pneumococcus Poly (direct antigen)(13161)
Gen-Probe AccuProbe (including culture)(22040)
Karobio Phadebact Pneumococcus (including culture)(34007)
Wampole Bactigen Meningitis Panel (bld culture supernatant)(70080)

Analyte: (5810) Streptococcus, Group A

Test System, Assay, Examination

Abbott TestPack Plus Strep A (including culture)(04483)
Abbott TestPack Strep A (including culture)(04077)
Adams Scientific SeroStat Streptococcus (including culture)(04092)
Antibodies Inc. Detect-A-Strep (including culture)(04222)
Becton Dickinson BBL Strep Grouping (including culture)(07083)
Becton Dickinson Culturette GrpA Strep (including culture)(07257)
Diagnostic Products PathoDx LA Strep Grp (inc. culture)(13025)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Gen-Probe AccuProbe (including culture)(22040)
Incstar Group A Streptococcus Fluoro-Kit(including culture)(28043)
Karobio Phadebact Streptococcus (including culture)(34008)
Kodak SureCell (including culture)(34039)
Leeco Diagnostics Preview Strep A (including culture)(37016)
Medical Technology Corp. OPTITEC Strep A(including culture)(40046)
Medix Biotech Sure-Strep A (including culture)(40055)
Meridian Diagnostics Meritec-Strep (including culture)(40069)
Meridian Diagnostics Meritec-Strep Group A (incl. culture)(40108)
NCS StrepSlide (including culture)(43042)
Unipath Oxoid Streptococcal Grouping Kit(including culture)(64012)
V-Tech V-Trend Strep A (including culture)(67009)
Vitek Systems Slidex Strepto A (including culture)(67052)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wellcome Reveal Colour Strep A (including culture)(70023)
Wellcome Streptex (including culture)(70027)

Analyte: (5811) Streptococcus, Group B

Test System, Assay, Examination

Adams Scientific SeroStat Streptococcus (including culture)(04092)
Becton Dickinson BBL Strep Grouping (including culture)(07083)
Becton Dickinson Dir. Meningitis Combo Kit(bld cult supern)(07260)
Becton Dickinson Dir. Meningitis Indiv.Kit(bld cult supern)(07261)
Diagnostic Products PathoDx LA Strep Grp (inc. culture)(13025)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Gen-Probe AccuProbe (including culture)(22040)
Hybritech Icon Strep B (including culture)(25051)
Karobio Phadebact Streptococcus (including culture)(34008)
Meridian Diagnostics Meritec-Strep (including culture)(40069)
Meridian Diagnostics Meritec-Strep Group B (incl. culture)(40107)
NCS StrepSlide (including culture)(43042)
Unipath Oxoid Streptococcal Grouping Kit(including culture)(64012)
Vitek Systems Slidex Strepto B (including culture)(67051)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wampole Bactigen Group B Strep (blood culture supernatant)(70078)
Wellcome Streptex (including culture)(70027)
Wellcome Wellcogen Bacterial Ag Kit (bld culture supernate)(70082)

Analyte: (5812) Streptococcus, Group C

Test System, Assay, Examination

Adams Scientific SeroStat Streptococcus (including culture)(04092)
Becton Dickinson BBL Strep Grouping (including culture)(07083)
Diagnostic Products PathoDx LA Strep Grp (inc. culture)(13025)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Karobio Phadebact Streptococcus (including culture)(34008)
Meridian Diagnostics Meritec-Strep (including culture)(40069)
NCS StrepSlide (including culture)(43042)

Unipath Oxoid Streptococcal Grouping Kit(including culture)(64012)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wellcome Streptex (including culture)(70027)

Analyte: (5813) Streptococcus, Group D

Test System, Assay, Examination

Bio-Medical ANI Strep Test (including culture)(07134)
Diagnostic Products Corp. PathoDx Strep D (inc. culture)(13040)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Karobio Phadebact Streptococcus (including culture)(34008)
NCS StrepSlide (including culture)(43042)
Unipath Oxoid Streptococcal Grouping Kit (including culture)(64012)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wellcome Streptex (including culture)(70027)

Analyte: (5814) Streptococcus, Group F

Test System, Assay, Examination

Adams Scientific SeroStat Streptococcus (including culture)(04092)
Becton Dickinson BBL Strep Grouping (including culture)(07083)
Diagnostic Products PathoDx LA Strep Grp (inc. culture)(13025)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Karobio Phadebact Streptococcus (including culture)(34008)
Meridian Diagnostics Meritec-Strep (including culture)(40069)
NCS StrepSlide (including culture)(43042)
Unipath Oxoid Streptococcal Grouping Kit (including culture)(64012)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wellcome Streptex (including culture)(70027)

Analyte: (5815) Streptococcus, Group G

Test System, Assay, Examination

Adams Scientific SeroStat Streptococcus (including culture)(04092)
Becton Dickinson BBL Strep Grouping (including culture)(07083)
Diagnostic Products PathoDx LA Strep Grp (inc. culture)(13025)
Difco Bacto Strep Grouping Kit (including culture)(13119)
Difco FA Streptococcus Groups (including culture)(13157)
Karobio Phadebact Streptococcus (including culture)(34008)
Meridian Diagnostics Meritec-Strep (including culture)(40069)
NCS StrepSlide (including culture)(43042)
Unipath Oxoid Streptococcal Grouping Kit (including culture)(64012)
Vitek Systems Slidex Strepto-Kit (including culture)(67053)
Wellcome Streptex (including culture)(70027)

Analyte: (7605) Yersinia Enterocolitica

Test System, Assay, Examination

Bio-Medical ANI Yersinia Test (including culture)(07204)

SPECIALITY/SUBSPECIALITY: General Chemistry

Analyte: (0104) 1,25–Dihydroxyvitamin D (1,25–(OH)2D)

Test System, Assay, Examination

Nichols Institute 1,25–Dihydroxyvitamin D Assay Kit(43053)

Analyte: (0106) 17 Ketosteroid

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (0102) 17 OH Progesterone

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems 17alpha-OH Progesterone RIA Kit(13185)

Analyte: (0103) 17 OH Progesterone, Neonatal

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (0105) 5'Nucleotidase

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma Diagnostics Test Kit(58051)

Analyte: (0407) Acid Phosphatase

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)

Analyte: (0472) Adenosine Monophosphate, Cyclic (cAMP)

Test System, Assay, Examination

Du Pont RIANEN RIA Kit(13091)

Analyte: (0458) Adrenocorticotropic Hormone (ACTH)

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Systems ACTH RIA Kit(13189)
Incstar ACTH(28202)
Incstar PEG-ACTH(28203)
Nichols Institute Allegro (RIA)(43008)
Nichols Institute RIA Kit(43044)

Analyte: (0404) Alanine Aminotransferase (ALT) (SGPT)

Test System, Assay, Examination:

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Genetic Systems Alanine Aminotransferase (ALT/GPT)(22145)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Randox Laboratories Test Kit(55106)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (0414) Albumin

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
DMA Test Kit(12216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Helena Laboratories Low Level Quiplate System for RID(25055) Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems Test Kit(40123)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)

Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
The Binding Site Human Albumin NL RID(61077)
Wako Autokit(70102)

Analyte: (0471) Albumin, Glycated

Test System, Assay, Examination

Isolab Glyc-Affin GA(28188)

Analyte: (0415) Aldolase

Test System, Assay, Examination

Behring Stat-Pack Aldolase Test(07226)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma Diagnostics Test Kit(58051)

Analyte: (0459) Aldosterone

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (0416) Alkaline Phosphatase (ALP)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Randox Laboratories Test Kit(55106)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (0469) Alkaline Phosphatase Isoenzymes

Test System, Assay, Examination

Beckman Paragon ISOPAL Isoenzyme Electrophoresis Kit(07367)
Helena Laboratories Alk. Phosphatase Isoenzyme Procedure(25082)
Helena Laboratories Titan Gel Alkaline Phosphatase (HR)(25089)
Isolab Resolve-ALP(28156)

Analyte: (0484) Alpha-Fetoprotein—Amniotic Fluid

Test System, Assay, Examination

Abbott AFP (EIA)(04023)
Abbott COMMANDER System(04334)
Abbott IMX(04056)
Amersham Amerlex(04146)
Clinical Assays GammaDab(10061)
Hybritech Tandem-E(25022)
Kallestad AFP/Ob Radioimmunoassay(34045)

Analyte: (0423) Alpha-Fetoprotein—Maternal Serum

Test System, Assay, Examination

Abbott AFP (EIA)(04023)
Abbott COMMANDER System(04334)
Abbott IMX(04056)
Amersham Amerlex(04146)
Clinical Assays GammaDab(10061)
Hybritech Tandem-E(25022)
Kallestad AFP/Ob Radioimmunoassay(34045)

Analyte: (0419) Alpha-Hydroxybutyrate Dehydrogenase (HBDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Medical Analysis Systems Test Kit(40123)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Sterling Diagnostics Test Kit(58230)

Analyte: (0427) Ammonia, Plasma/Serum

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Wako Ammonia Test Kit(70100)

Analyte: (0429) Amylase

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Beckman Manual Spectrophotometric Test Procedure(07378)
Behring Pantrak Amylase Test(07228)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB–CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)

Analyte: (0466) Androstanediol Glucuronide (3 alpha-diol G)

Test System, Assay, Examination

Diagnostic Systems Androstanediol Glucuronide RIA Kit(13186)

Analyte: (0460) Androstenedione

Test System, Assay, Examination

Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems Active Androsteindione RIA Kit(13204)
Diagnostic Systems Androsteindione RIA Kit(13193)

Analyte: (0481) Angiotensin Converting Enzyme (ACE)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Instrumentation Laboratory Multistat III(28183)
Sigma Diagnostics Test Kit(58051)

Analyte: (0479) Angiotensin I

Test System, Assay, Examination

Du Pont RIANEN RIA Kit(13091)

Analyte: (0462) Apolipoprotein A1

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Isolab Immunoturbidimetric Assay(28191)
Medical Analysis Systems RefLab Test Kit(40124)
Reagents Applications RAICHEM SPIA Test Kit(55074)
Sigma Diagnostics Test Kit(58051)

Analyte: (0457) Apolipoprotein B

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Behring M-partigen Kit(07118)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Isolab Immunoturbidimetric Assay(28191)
Medical Analysis Systems RefLab Test Kit(40124)

Reagents Applications RAICHEM SPIA Test Kit(55074)
Sigma Diagnostics Test Kit(58051)

Analyte: (0405) Aspartate Aminotransferase (AST) (SGOT)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Randox Laboratories Test Kit(55106)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB–CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (0723) Beta-Glucuronidase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (0722) Beta-Hydroxybutyrate

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Electronucleonics FLEXIGEM(16010)
GDS Diagnostics Enzymatic Test Kit(22140)
Instrumentation Laboratory Multistat III(28183)
Sigma Diagnostics Test Kit(58051)

Analyte: (0704) Bilirubin, Direct

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems Test Kit(40123)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (0705) Bilirubin, Neonatal

Test System, Assay, Examination

Seradyn Quick-Chem II(58187)

Analyte: (0706) Bilirubin, Total

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (0708) Blood Gases with pH

Test System, Assay, Examination

Ciba Corning 158(10031)
Ciba Corning 168(10032)

Analyte: (0709) Blood Lead

Test System, Assay, Examination

All Anodic Stripping Voltametry Procedures(04102)
All Atomic Absorption Test Systems(04104)
esa Model 3010A Trace Metals Analyzer(16020)
esa Model 3010B Lead Analyzer(16021)

Analyte: (1040) C-Peptide

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Systems C-Peptide RIA Kit(13187)
Incstar C-Peptide(28204)

Analyte: (1051) C1–Esterase Inhibitor (C1INH)

Test System, Assay, Examination

Nyegaard Nycotest C1–Esterase Inhibitor(43054)

Analyte: (1041) Calcitonin

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Solid Phase(13112)
Diagnostic Systems Calcitonin RIA Kit(13184)
Diagnostic Systems Ultra-Sensitive Calcitonin RIA Kit(13199)
Incstar Calcitonin II(28211)
Nichols Institute RIA Kit(43044)

Analyte: (1005) Calcium, Total

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 504(28157)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Calcium C Test Kit(70108)

Analyte: (1003) Carbon Dioxide, Total (CO_2)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Medical Analysis Systems Test Kit(40123)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Synermed Test Kit(58260)
TRACE Scientific Test Kit(61044)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (1056) Catecholamines, Plasma

Test System, Assay, Examination

Bio-Rad HPLC(07279)
Bioanalytical Systems BAS 200A(07300)
Bioanalytical Systems BAS 480(07301)
Bioanalytical Systems BAS 481(07302)
Bioanalytical Systems BAS 482(07307)

Analyte: (1055) Catecholamines, Urine

Test System, Assay, Examination

Bio-Rad HPLC(07279)

Analyte: (1014) Cerebrospinal Fluid Protein (CSF)

Test System, Assay, Examination

Bio-Rad Test Kit(07278)
DMA Test Kit(13216)
Stanbio Test Kit(58157)

Analyte: (1018) Chloride

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Ames OPTIMATE(04275)
Buchler Digital Chloridometer(07312)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
King Diagnostics Test Kit(34051)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (1019) Chloride, Sweat (Cystic Fibrosis Sweat Test)

Test System, Assay, Examination

Advanced Instruments Cystic Fibrosis Analyzer(04096)
Orion Model 417 Skin Chloride System(46121)
Scandipharm CF Indicator (9800)(58240)
Wescor 3100 Sweat, Chek Sweat Conductivity Analyzer(70104)

Analyte: (1020) Cholesterol

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sherwood Medical Auto/Stat Kit(58164)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit Cholesterol COD-MEHA Method(70113)
Wako Cholesterol CII Assay Kit(70106)

Analyte: (1021) Cholinesterase

Test System, Assay, Examination

Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)

Analyte: (1053) Cholyglycine (Bile Acids)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Immunotech ENDAB EIA Kit(28172)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma Diagnostics Test Kit(58051)

Analyte: (1032) Cortisol

Test System, Assay, Examination

Amersham Amerlex(04146)
Amersham Amerlite(04148)
Becton Dickinson Corti-Cote(07087)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad Quantimune(07141)
Biomerica EIA Test Kit(07275)
Ciba Corning Magic (MGC)(10051)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Diagnostic Systems Active Cortisol EIA Kit(13175)
Diagnostic Systems Active Cortisol RIA Kit(13176)
Diagnostic Systems Cortisol RIA Kit(13183)
Immunotech ENDAB EIA Kit(28172)
Kallestad Quanticoat(34031)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Organon NML IRMA Test Kit(46007)
Sanofi/Kallestad Quanticoat(58010)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (1033) Cortisol, Urine

Test System, Assay, Examination

Diagnostic Systems Active Cortisol EIA Kit(13175)
Diagnostic Systems Active Cortisol RIA Kit(13176)

Analyte: (1034) Creatine Kinase (CK)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)

Seradyn CK-UV Determination(58161)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (1047) Creatine Kinase BB Fraction [CKBB]

Test System, Assay, Examination

Biomerica RIA Test Kit(07256)
Diagnostic Systems CK-B Protein RIA Kit(13182)
International Immunoassay Labs ABURIA-CK RIA Kit(28164)

Analyte: (1052) Creatine Kinase Isoenzymes (CK Isoenzymes)

Test System, Assay, Examination

Beckman Paragon CK Isoenzyme Electrophoresis Kit(07363)
Helena Laboratories CK Isoforms Procedure(25088)
Helena Laboratories CPK Isoenzyme Electrophoresis(25084)
Helena Laboratories CPK-US Isoenzyme Electrophoresis(25070)
Helena Laboratories REP CK Isoenzyme Procedure(25101)
Helena Laboratories REP CK Stat Isoenzyme Procedure(25102)
Helena Laboratories REP CK/LD Isoenzyme Combo Method(25100)
Helena Laboratories Titan Gel CK Isoenzyme Procedure(25093)
Helena Laboratories Titan Gel Iso-Dot CK (Black)(25090)
Helena Laboratories Titan Gel-PC CK Isoenzyme Procedure(25094)

Analyte: (1002) Creatine Kinase MB Fraction [CKMB]

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Ciba Corning Magic Lite(10055)
DMA Test Kit(13216)
Diagnostic Systems CK-B Protein RIA Kit(13182)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
International Immunoassay Labs ABURIA-CK RIA Kit(28164)
International Immunoassay Labs CARDIA-CK(28171)
International Immunoassay Labs EMBRIA-CK IRMA Kit(28165)
International Immunoassay Labs IMACK-MB Test Kit(28168)
International Immunoassay Labs IMpres-MB(28162)
International Immunoassay Labs IMpres-MB-X(28163)
International Immunoassay Labs MicroMI-MB Test Kit(28169)
International Immunoassay Labs QuiCK-MB IRMA Kit(28167)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn CK-MB Immuno UV Determination(58160)
Sigma Diagnostics Test Kit(58051)

Analyte: (1054) Creatine Kinase MM Fraction (CKMM)

Test System, Assay, Examination

Beckman Paragon CK-MM Isoforms Electrophoresis Kit(07364)
International Immunoassay Labs CheCK-MM(28170)
International Immunoassay Labs ISOFOR-MM(28161)

Analyte: (1035) Creatinine

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Boehringer Mannheim Biodynamics Unimeter 250(07254)
Boehringer Mannheim Biodynamics Unimeter 300(07252)
Boehringer Mannheim Biodynamics Unimeter 330K(07253)
DMA Test Kit(13216)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 504(28157)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (1043) Cyclic AMP

Test System, Assay, Examination

Diagnostic Products Corp. Liquid Phase(13110)
Incstar cAMP(28210)

Analyte: (1309) Dehydroepiandrosterone [DHEA]

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (1310) Dehydroepiandrosterone Sulfate (DHEA–SO4)

Test System, Assay, Examination

Biomerica RIA Test Kit(07256)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems Active DHEA-Sulfate EIA Kit(13177)
Diagnostic Systems Active DHEA-Sulfate RIA Kit(13202)
Diagnostic Systems DHEA-Sulfate RIA Kit(13191)

Analyte: (1611) Erythropoietin

Test System, Assay, Examination

Diagnostic Systems Erythropoietin (EPO) RIA Kit(13190)
Incstar EPO-Trac(28201)
R & D Systems Clinigen Erythopoietin EIA(55111)
Ramco EPORIA Test Kit(55089)

Analyte: (1605) Estradiol

Test System, Assay, Examination

Amersham Amerlite(04148)
Bio-Rad Quantimune(07141)
Biomerica RIA Test Kit(07256)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Diagnostic Systems Estradiol RIA Kit(13192)
Leeco Diagnostics RIA Test Kit(37029)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (1606) Estriol—Total

Test System, Assay, Examination

Amersham Amerlex(04146)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad Quantimune II(07142)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems Total Estriol RIA Kit(13195)

Analyte: (1607) Estriol—Unconjugated

Test System, Assay, Examination

Amersham Amerlex(04146)
Biomerica RIA Test Kit(07256)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems Ultra-Sens. Unconjugated Estriol RIA Kit(13198)
Immunotech ENDAB EIA Kit(28172)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)

Analyte: (1919) Fatty Acids, Non-Esterified

Test System, Assay, Examination

Sterling Diagnostics Analyzer 2000(58229)
Wako NEFA C Test Kit(70117)

Analyte: (1902) Ferritin

Test System, Assay, Examination

Amersham Amerlex(04146)
Amersham Amerlite(04148)
Becton Dickinson MAb Solid Phase Component System(07247)
Becton Dickinson Monoclonal Solid Phase Coated Tube(07102)
Bio-Rad Quantimune(07141)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaCoat(10060)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Diagnostic Systems Active Ferritin IEMA Kit(13179)
Diagnostic Systems Active Ferritin IRMA Kit(13180)
Du Pont RIANEN RIA Kit(13091)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Ramco FER-IRON II Microtiter Assay Kit(55087)
Ramco RIA Test Kit(55010)
Ramco Spectro Ferritin(55088)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (1922) Foam Stability Index

Test System, Assay, Examination

Beckman Lumadex—FSI(07379)

Analyte: (1907) Folate (Folic Acid)

Test System, Assay, Examination

Becton Dickinson SimulTRAC(07106)
Becton Dickinson SimulTRAC S(07107)
Becton Dickinson SimulTRAC SNB(07108)
Bio-Rad Quantaphase(07354)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Boil(10054)
Ciba Corning Magic Lite(10055)
Ciba Corning Magic/NB (no boil)(10057)
Clinical Assays NO-Boil(10062)
Clinical Assays Solid Phase(10063)
Diagnostic Products Corp. Charcoal Boil(13028)
Diagnostic Products Corp. Dualcount Charcoal(13032)
Diagnostic Products Corp. Dualcount No Boil(13033)
Diagnostic Products Corp. Dualcount Solid Phase Boil(13034)
Diagnostic Products Corp. Solid Phase/N Boil(13041)
Micromedic Combostat II(40083)

Analyte: (1908) Follicle Stimulating Hormone (FSH)

Test System, Assay, Examination

Amersham Amerlite(04148)
Becton Dickinson SimulTRAC(07106)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
ICN IMMUNOCHEM FSH-MW Elisa(28213)
Immunotech EZ-TUBE EIA Kit(28174)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (1914) Fructosamine

Test System, Assay, Examination

Isolab Glyco-PROBE GSP(28181)
Reagents Applications RAICHEM Test Kit(55075)

Analyte: (2215) Galactose-1-Phosphate Uridyl Transferase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (2201) Gamma Glutamyl Transferase (GGT)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Randox Laboratories Test Kit(55106)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (2205) Gastrin

Test System, Assay, Examination

Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Double Antibody(13031)

Analyte: (2206) Glucagon

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)

Analyte: (2203) Glucose

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 504(28157)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
King Diagnostics Test Kit(34051)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sclavo Fast Glucose(58170)
Sclavo Manual Glucose Test Kit(58033)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sherwood Medical Auto/Stat Kit(58164)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Manual Glucose Test Kit(58066)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Glucose C Test Kit(70111)

Analyte: (2208) Glucose-6-Phosphate Dehydrogenase (G–6–PDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Behring Stat-Pack G–6–PDH Test(07225)
Electronucleonics FLEXIGEM(16010)
Sigma Diagnostics Test Kit(58051)

Analyte: (2210) Glucose-6-Phosphate Dehydrogenase Fractions

Test System, Assay, Examination

Helena Laboratories G–6–PD Electrophoresis(25072)

Analyte: (2213) Glutathione Reductase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (2204) Glycosylated Hemoglobin (Hgb A1C)

System, Assay, Examination

Beckman Paragon Diatrac HbA1C Glycohemoglobin Electro. Kit(07371)
Binax Equate Glycohemoglobin(07124)
Bio-Rad Column Test(07277)
Chembio Glyco-Sep/A1c jr(10172)
Chembio Glyco-Stat/A1/6(10171)
Helena Laboratories GLYCO-Hb Quik Column Chromatography(25086)
Helena Laboratories GLYCO-Tek Affinity Column Method(25079)
Helena Laboratories Heme Spec Plus(25116)
Helena Laboratories REP Glyco(25077)
Helena Laboratories Titan Gel-PC GLYCO-Heme System(25078)
Isolab Glyc-Affin GHb(28119)
Isolab Quik-Sep Fast Hemoglobin Test System(28179)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sigma Diagnostics Glycated Hemoglobin Kit(58224)
Sigma Diagnostics Glycohemoglobin Kit(58223)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Test Kit(58230)

Analyte: (2501) HCG, Serum, Qualitative

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Leeco Diagnostics Concept-7–Beta-hCG(37026)
Leeco Diagnostics Concept-7–Beta-hCG IRMA(37027)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)

Analyte: (2502) HCG, Serum, Quantitative

Test System, Assay, Examination

Abbott Beta-HCG 15/15(04034)
Amersham Amerlex-M(04147)
Amersham Amerlite(04148)
Becton Dickinson MAb Solid Phase Component System(07247)
Becton Dickinson Solid Phase Coated Tube(07110)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad CoTube(07138)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Diamedix Serum HCG Microassay(13226)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Leeco Diagnostics Concept-7-Beta-hCG(37026)
Leeco Diagnostics Concept-7-Beta-hCG IRMA(37027)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Serono HCG MAIA Clone(58047)

Analyte: (2503) HCG, Urine, Qualitative (Non-Waived Procedures)

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Leeco Diagnostics Concept-7-Beta-hCG(37026)
Leeco Diagnostics Concept-7-Beta-hCG IRMA(37027)
Organon NML IRMA Test Kit(46007)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (2550) HDL Cholesterol

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott VP(04082)
Abbott Vision, Non Whole Blood HDL Procedure(04451)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames Clinistat(04150)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Manual Spectrophotometric Test Procedure(07378)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Ciba Corning 570 Alliance(10039)
Ciba Corning 580 Alliance(10040)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
DMA Test Kit(13216)
DataChem DC–100(13213)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EASY PLUS (manual pretreatment)(16023)
EM Diagnostic Systems EASY ST (manual pretreatment)(16024)
EM Diagnostic Systems EPOS(16015)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems Test Kit(40123)
Meditech Diagnostic System Test Kit(40118)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Reference Diagnostics Magnetic HDL Cholesterol(55095)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Roche Cobas Mira S(55045)
Roche Cobas Ready(55046)
Seradyn HDL Cholesterol Determination(58163)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Synermed Test Kit(58260)
TRACE HDL Singles(61049)
Technicon AXON(61001)
Technicon Assist(61002)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 100(61037)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Wako HDL Cholesterol Test Kit(70103)

Analyte: (2511) Haptoglobin

Test System, Assay, Examination

Reagents Applications RAICHEM SPIA Test Kit(55074)

Analyte: (2545) Homovanillic Acid (HVA)

Test System, Assay, Examination

Bio-Rad HPLC(07279)

Analyte: (2547) Human Growth Hormone (GH)

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Hybritech Tandem-R(25023)
Incstar hGH(28205)
Kallestad Quantitope HGH RIA Kit(34040)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)

Analyte: (2533) Human Placental Lactogen (HPL)

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (2812) Insulin

Test System, Assay, Examination

Ciba Corning Magic (MGC)(10051)
Corning Medical IMMO PHASE RIA(10166)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Systems Insulin RIA Kit(13197)
Incstar Insulin(28045)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Pharmacia Insulin Test(49009)

Analyte: (2818) Insulin-like Growth Factor-1 (IGF–1)

Test System, Assay, Examination

Diagnostic Systems Active Insulin-Like Growth Factor-1(13181)
Incstar IGF-I (Somatomedin C)(28206)
Nichols Institute RIA Kit(43044)

Analyte: (2814) Iron

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kenlor Industries Test Kit(34050)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Fe B Test Kit(70099)
Wako FeC Test Kit(70118)

Analyte: (2815) Iron Binding Capacity (post saturation/separation)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Spectrum(04067)
Abbott Spectrum EPX(04068)
Abbott Spectrum Series II(04069)
Abbott Spectrum Series II CCX(04070)
Abbott TDX(04071)
Abbott TDX FLx(04072)
Abbott VP(04082)
American Monitor Diagnostics Excel(04139)
American Monitor Diagnostics ISP 1000(04140)
American Monitor Diagnostics ISP 2000(04141)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Baxter Paramax(07048)
Baxter Paramax 720 ZX(07049)
Beckman Synchron CX 4(07071)
Beckman Synchron CX 4 CE(07174)
Beckman Synchron CX 5(07072)
Beckman Synchron CX 7(07073)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Chem Laboratory Systems ATAC 6000(07189)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Boehringer Mannheim Hitachi 737(07165)
Boehringer Mannheim Hitachi 747(07166)
Boehringer Mannheim Hitachi 911(07377)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
Coulter Optichem 100(10115)
Coulter Optichem 120(10079)
Coulter Optichem 180(10080)
DataChem DC–100(13213)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Du Pont ACA(13082)
Du Pont ACA II(13172)
Du Pont ACA III(13173)
Du Pont ACA IV(13083)
Du Pont ACA V(13084)
Du Pont Dimension(13086)
Du Pont Dimension AR(13087)
Du Pont Dimension ES(13215)
EM Diagnostic Systems EPOS(16015)
Electronucleonics FLEXIGEM(16010)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Genesis 21(28160)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory IL Monarch Plus(28083)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kenlor Industries Test Kit(34050)
Kodak Ektachem 250(34037)
Kodak Ektachem 400(34012)
Kodak Ektachem 500(34013)
Kodak Ektachem 700(34014)
Kodak Ektachem 700 XR(34015)
Olympus AU 5000(46001)
Olympus AU 5021(46084)
Olympus AU 5031(46085)
Olympus AU 5061(46086)
Olympus AU 5121(46087)
Olympus AU 5131(46088)
Olympus AU 5211(46106)
Olympus AU 5221(46107)
Olympus AU 5223(46108)
Olympus AU 5231(46109)
Olympus AU 800(46110)
Olympus Demand(46002)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Roche Cobas Mira Plus(55096)
Sigma Diagnostics Test Kit(58051)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Technicon Chem 1(61003)
Technicon DAX 24(61004)
Technicon DAX 48(61005)
Technicon DAX 72(61006)
Technicon DAX 96(61007)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)
Wako Fe B Test Kit(70099)

Analyte: (2823) Iron Binding Capacity, Unsat. (UIBC) no pretreat

Test System, Assay, Examination

Wako UIBC Test Kit(70119)

Analyte: (2820) Isocitric Dehydrogenase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (3701) Lactate Dehydrogenase (LDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Medical Analysis Systems Test Kit(40123)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn LDH-UV Determination(58162)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)

SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)
Wako Lactate Dehydrogenase CII Test Kit(70114)

Analyte: (3702) Lactate Dehydrogenase Heart Fraction (LDH–1)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
DMA Test Kit(13216)
Seradyn LD–1 Separation Set(58158)
Sigma Diagnostics Test Kit(58051)

Analyte: (3721) Lactate Dehydrogenase Isoenzymes

Test System, Assay, Examination

Beckman Paragon LD Isoenzyme Electrophoresis Kit(07365)
Helena Laboratories LDH Isoenzyme Electrophoresis(25083)
Helena Laboratories REP CK/LD Isoenzyme Combo Method(25100)
Helena Laboratories REP LD Isoenzyme Procedure(25085)
Helena Laboratories REP LD Stat Isoenzyme Procedure(25086)
Helena Laboratories Titan Gel Iso-Dot LD Flur (Black)(25092)
Helena Laboratories Titan Gel Iso-Dot LD Flur (Clear)(25091)
Helena Laboratories Titan Gel LD Isoenzyme Procedure(25095)
Helena Laboratories Titan Gel-PC LD Isoenzyme Procedure(25108)

Analyte: (3703) Lactate Dehydrogenase Liver Fraction (LLDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 50(04267)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (3704) Lactic Acid (Lactate)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Behring Stat-Pack Lactate Test(07227)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma Diagnostics Test Kit(58051)

Analyte: (3722) Lecithin/Sphingomyelin (L/S) Ratio

Test System, Assay, Examination

Helena Laboratories Fetal-Tek 200 Method L/S Ratio(25110)
Helena Laboratories L/S Ratio(25109)

Analyte: (3709) Leucine Aminopeptidase (LAP)

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (3711) Lipase

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems Test Kit(40123)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Sterling Diagnostics Analyzer 2000(58229)
Wako Autokit(70102)

Analyte: (3720) Lipoprotein Fractions

Test System, Assay, Examination

Beckman Paragon Lipoprotein Electrophoresis Kit(07366)
Helena Laboratories HDL Cholesterol Electrophoresis(25071)
Helena Laboratories Lipoprotein Electrophoresis Procedure(25098)
Helena Laboratories REP HDL Electrophoresis(25087)
Helena Laboratories REP Lipo Electrophoresis Procedure(25105)
Helena Laboratories REP Ultra HDL, VLDL/LDL Choles. System(25104)
Helena Laboratories Titan Gel HDL Electrophoresis System(25096)
Helena Laboratories Titan Gel Lipoprotein Electropho. Sys.(25106)
Isolab LDL—Direct(28178)
Isolab LDL—Direct Plus(28177)

Analyte: (3712) Lithium

Test System, Assay, Examination

Beckman Flame Photometer(07062)
Instrumentation Laboratory AA Spectro(28062)
Instrumentation Laboratory IL Flame Photometer/Elect(28081)
Perkin Elmer Atomic Absorption Spectrophotometer(49006)
Radiometer Flame Photometer(55007)

Analyte: (3713) Luteinizing Hormone (LH)

Test System, Assay, Examination

Amersham Amerlite(04148)
Becton Dickinson SimulTRAC(07106)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Immunotech EZ-TUBE EIA Kit(28174)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (4002) Magnesium

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Wako Magnesium B Test Kit(70107)

Analyte: (4019) Microalbumin

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Wako Micro-Albumin (urine) Turbidimetric Test Kit(70105)

Analyte: (4026) Microprotein, CSF

Test System, Assay, Examination

Abbott Bichromatic ABA 200(04036)
Kenlor Industries Test Kit(34050)
Sigma Diagnostics Test Kit(58051)
Sterling Diagnostics Analyzer 2000(58229)

Analyte: (4027) Microprotein, Urine

Test System, Assay, Examination

Abbott Bichromatic ABA 200(04036)
Kenlor Industries Test Kit(34050)
Sigma Diagnostics Test Kit(58051)
Sterling Diagnostics Analyzer 2000(58229)

Analyte: (4023) Myoglobin

Test System, Assay, Examination

Biomerica RIA Test Kit(07256)
ImmunoDiagnosticCenter Myoglobin ELISA Test Kit(28232)

Analyte: (4605) Oxalate

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Spectrum(04067)
Abbott VP(04082)
Beckman Synchron CX 4(07071)

Beckman Synchron CX 5(07072)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioAutoMed ASCA(07192)
Boehringer Mannheim Hitachi 704(07161)
Boehringer Mannheim Hitachi 705(07162)
Boehringer Mannheim Hitachi 717(07163)
Boehringer Mannheim Hitachi 736(07164)
Ciba Corning 550 Express(10038)
Coulter Dacos(10106)
EM Diagnostic Systems EPOS(16015)
Electronucleonics FLEXIGEM(16010)
Electronucleonics Gem-Profiler(16004)
Electronucleonics Gemini(16005)
Electronucleonics Gemstar(16006)
Electronucleonics Gemstar II(16007)
Instrumentation Laboratory IL Monarch 1000(28082)
Instrumentation Laboratory IL Monarch 2000(28231)
Instrumentation Laboratory Multistat III(28183)
Olympus Reply(46089)
Olympus Reply/AU560(46129)
Roche Cobas Bio(55100)
Roche Cobas FARA(55040)
Roche Cobas FARA II(55041)
Roche Cobas Mira(55044)
Sigma Diagnostics Test Kit(58051)
Technicon RA 1000(61010)
Technicon RA 2000(61011)
Technicon RA 500(61012)
Technicon RA XT(61013)

Analyte: (4934) Parathyroid Hormone—C-Terminal

Test System, Assay, Examination

Diagnostic Systems C-Parathyroid Hormone RIA Kit(13188)
Incstar C-terminal PTH(28209)

Analyte: (4924) Parathyroid Hormone—Intact

Test System, Assay, Examination

Ciba Corning Magic Lite(10055)
Diagnostic Systems Active Intact Parathyroid Hormone(13178)
Incstar N-tact PTH IRMA(28208)
Nichols Institute Allegro (RIA)(43008)
Ramco RIA Test Kit(55010)

Analyte: (4925) Parathyroid Hormone—Mid-molecule (PTH-M)

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Systems Mid-Molecule Parathyroid Hormone RIA Kit(13196)
Incstar PTH-MM II(28207)
Nichols Institute RIA Kit(43044)

Analyte: (4942) Phenylalanine

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (4905) Phosphatidylglycerol (PG)—Amniotic Fluid

Test System, Assay, Examination

Isolab PG-Numeric(28194)

Analyte: (4943) Phosphohexose Isomerase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (4937) Phospholipids

Test System, Assay, Examination

Sterling Diagnostics Analyzer 2000(58229)
Wako Phospholipids Test Kit(70116)

Analyte: (4906) Phosphorus

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seragen Quick-Chem(58186)
Sherwood Medical Auto/Stat Kit(58164)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (4939) Porphobilinogen

Test System, Assay, Examination

Whale Scientific Porphyrins and Porphobilinogen(70098)

Analyte: (4938) Porphyrins

Test System, Assay, Examination

Whale Scientific Porphyrins and Porphobilinogen(70098)

Analyte: (4910) Potassium

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Beckman Flame Photometer(07062)
Boehringer Mannheim LyteTek Flame Photometer(07423)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory IL Flame Photometer/Elect(28081)
Mallinckrodt Serometer 370(40126)
Pointe Scientific 180 Chemistry Analyzer(49064)
Radiometer Flame Photometer(55007)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Test Kit(58230)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (4914) Progesterone

Test System, Assay, Examination

Amersham Amerlite(04148)
Bio-Rad CoTube(07138)
Biomerica RIA Test Kit(07256)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Diagnostic Systems Active Progesterone RIA Kit(13201)
Diagnostic Systems Progesterone RIA Kit(13200)
Leeco Diagnostics RIA Test Kit(37029)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (4915) Prolactin

Test System, Assay, Examination

Amersham Amerlite(04148)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
ICN IMMUNOCHEM PRL-MW Elisa(28214)
Immunotech EZ-TUBE EIA Kit(28174)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (4918) Prostatic Acid Phosphatase (PAP)

Test System, Assay, Examination

Abbott PAP EIA(04058)
Biomerica RIA Test Kit(07256)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Milenia(13111)
Du Pont RIANEN RIA Kit(13091)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Leeco Diagnostics RIA Test Kit(37029)
Sigma Diagnostics Test Kit(58051)
Yang Laboratories RIA(76001)

Analyte: (4921) Protein, Total

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)

Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Ames OPTIMATE(04275)
Bio-Rad Test Kit(07278)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 504(28157)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kenlor Industries Test Kit(34050)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems Test Kit(40123)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seragen StatEase(58185)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)
Wako Micro TP Test Kit(70110)

Analyte: (4941) Pyruvate

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma Diagnostics Test Kit(58051)

Analyte: (4944) Pyruvate kinase

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (5515) Renin

Test System, Assay, Examination

Clinical Assays GammaCoat(10060)

Analyte: (5507) Retinol Binding Protein

Test System, Assay, Examination

Behring LC-partigen Kit(07117)

Analyte: (5820) Serotonin

Test System, Assay, Examination

Immunotech Urinary Serotonin Enzyme Immunoassay(28153)

Analyte: (5819) Sex Hormone Binding Globulin

Test System, Assay, Examination

Diagnostic Systems Sex Hormone Binding Globulin RIA Kit(13205)
Ventrex Coated Tube (RIA)(67011)

Analyte: (5805) Sodium

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
Beckman Flame Photometer(07062)
Boehringer Mannheim LyteTek Flame Photometer(07423)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory IL Flame Photometer/Elect(28081)
Radiometer Flame Photometer(55007)
Stanbio Test Kit(58157)
Sterling Diagnostics Test Kit(58230)
Technicon SMA 6/60(61015)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)

Analyte: (5823) Sorbital Dehydrogenase (SDH)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Instrumentation Laboratory Multistat III(28183)
Sigma Diagnostics Test Kit(58051)

Analyte: (6102) Testosterone

Test System, Assay, Examination

Bio-Rad CoTube(07138)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Systems Active Testosterone RIA Kit(13203)
Diagnostic Systems Testosterone RIA Kit(13194)
Leeco Diagnostics RIA Test Kit(37029)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (6122) Testosterone, Free

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (6124) Thyroglobulin

Test System, Assay, Examination

Diagnostic Products Corp. Double Antibody(13031)

Analyte: (6106) Thyroid Stimulating Hormone (TSH)

Test System, Assay, Examination

Abbott RIA Bead(04061)
Amersham Amerlite(04148)
Becton Dickinson MAb Solid Phase Component System(07247)
Becton Dickinson SimulTRAC(07106)
Becton Dickinson Solid Phase(07109)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad CoTube(07138)
Bio-Rad Echoclonal(07139)
Ciba Corning MAB (monoclonal)(10050)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Diamedix TSH Microassay(13229)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Immunotech EZ-BEAD EIA Kit(28173)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Leeco Diagnostics IRMA Test Kit(37028)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Nichols Institute Allegro (RIA)(43008)
Organon NML IRMA Test Kit(46007)
Organon NML L.E.S.(46008)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sanofi/Kallestad Quanticlone(58009)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Serono Maiaclone(58048)
Sigma SIA Thyroid Stimulating Hormone(58108)
Ventrex Coated Tube (RIA)(67011)
Wallac Oy DELFIA hTSH Ultra Kit(70129)

Analyte: (6107) Thyroid Stimulating Hormone (TSH) (Neonatal)

Test System, Assay, Examination

Becton Dickinson Neonatal TSH Immunoradiometric Assay(07223)
Biomerica RIA Test Kit(07256)
Diagnostic Products Corp. Double Antibody(13031)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)

Analyte: (6108) Thyroid Stimulating Hormone—high sens. (TSH-HS)

Test System, Assay, Examination

Clinical Assays GammaCoat(10060)
Hybritech Photon ERA Automated Immunoassay Analyzer(25052)
Hybritech Photon Immunoassay Analyzer(25053)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Medix Biotech EIA Test Kit(40117)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Nichols Institute Allegro (RIA)(43008)
Sanofi/Kallestad Quanticlone(58009)

Analyte: (6109) Thyroxine (T4)

Test System, Assay, Examination

Amersham Amerlite(04148)
Becton Dickinson Monoclonal Solid Phase Coated Tube(07102)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad Quanta-Count(07271) Bio-Rad Quantimune II(07142)
Biomerica EIA Test Kit(07275)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Immunotech ENDAB EIA Kit(28172)
Immunotech EZ-BEAD EIA Kit(28173)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)

Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Quanticoat(34031)
Medix Biotech EIA Test Kit(40117)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Organon NML Tetra Tab(46012)
Organon NML Tetra Tube(46013)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sanofi/Kallestad Quanticoat(58010)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Stanbio Premiere(58210)
Syva Emit Test Kit(58082)
Ventrex Coated Tube (RIA)(67011)

Analyte: (6123) Thyroxine (T4), Neonatal

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Sanofi/Kallestad Quanticoat(58010)

Analyte: (6110) Thyroxine Binding Globulin [TBG]

Test System, Assay, Examination

Clinical Assays GammaDab(10061)
Nichols Institute RIA Kit(43044)

Analyte: (6111) Thyroxine, Free (FT4)

Test System, Assay, Examination

Amersham Amerlex-M(04147)
Amersham Amerlite(04148)
Becton Dickinson MAb Solid Phase Component System(07247)
Becton Dickinson SimulTRAC(07106)
Becton Dickinson Solid Phase Coated Tube(07110)
Bio-Rad CoTube(07138)
Bio-Rad Quantimune(07141)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Lite(10055)
Clinical Assays Direct FT4(10059)
Clinical Assays Two Step(10064)
Diagnostic Products Corp. Coat-A-Count(13030)
Immunotech Microzyme EIA (spectrophotometric)(28175)
International Immunoassay Labs SPIRIA-FT4 RIA Kit(28166)
Nichols Institute Free T4 by Equilibrium Dialysis(43056)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (6118) Triglyceride

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Triglyceride G Test Kit(70109)

Analyte: (6119) Triiodothyronine (T3)

Test System, Assay, Examination

Abbott RIA Bead(04061)
Amersham Amerlex-M(04147)
Amersham Amerlite(04148)
Becton Dickinson Solid Phase(07109)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad Quantimune II(07142)
Biomerica EIA Test Kit(07275)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Double Antibody(13031)
Immunotech ENDAB EIA Kit(28172)
Immunotech EZ-BEAD EIA Kit(28173)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Kallestad Quanticoat(34031)
Leeco Diagnostics RIA Test Kit(37029)
Medix Biotech EIA Test Kit(40117)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Organon NML IRMA Test Kit(46007)
Sanofi/Kallestad Quanticoat(58010)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Stanbio Premiere(58210)

Analyte: (6120) Triiodothyronine Uptake (T3U) (TU)

Test System, Assay, Examination

Abbott-Triobead 125(04081)
Amersham Amerlite(04148)
Becton Dickinson Solid Phase(07109)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Ciba Corning Magic (MGC) (25–35 normal range)(10052)
Ciba Corning Magic (MGC) (35–45 normal range)(10053)
Ciba Corning Magic Lite(10055)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Immunotech EZ-BEAD EIA Kit(28173)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Kallestad Quanticoat(34031)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Organon NML Tri Tab(46014)
Organon NML Tri Tube T3U(46015)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sanofi/Kallestad Quanticoat(58010)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (6121) Triiodothyronine, Free (FT3)

Test System, Assay, Examination

Amersham Amerlex-M(04147)
Amersham Amerlite(04148)
Bio-Rad Quantimune(07141)
Ciba Corning Magic (MGC)(10051)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Kodak Amerlex MAB(34049)
Kodak Amerlite MAB(34048)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)

Analyte: (6129) Trypsin

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (6403) Urea (BUN)

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory IL 504(28157)
Instrumentation Laboratory IL 508(28158)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
King Diagnostics Test Kit(34051)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Analyzer 2000(58229)
Sterling Diagnostics Test Kit(58230)
TRACE Scientific Test Kit(61044)
Technicon SMA 12/60(61014)
Technicon SMA 6/60(61015)

Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)
Wako Urea Nitrogen Test Kit(70115)

Analyte: (6404) Uric Acid

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 50(04267)
American Monitor KDA(04143)
American Monitor Parallel(04144)
Ames OPTIMATE(04275)
Beckman Manual Spectrophotometric Test Procedure(07378)
DMA Test Kit(13216)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Mallinckrodt Serometer 370(40126)
Medical Analysis Systems RefLab Test Kit(40124)
Meditech Diagnostic System Test Kit(40118)
Nycomed Nycotest(43055)
Pointe Scientific 180 Chemistry Analyzer(49064)
Reagents Applications RAICHEM Test Kit(55075)
Seradyn Manual (spectrophoto/colorimetric) Determination(58042)
Seradyn Quick-Chem II(58187)
Seragen StatEase(58185)
Sigma Diagnostics Test Kit(58051)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Stanbio Test Kit(58157)
Sterling Diagnostics Test Kit(58230)
Technicon SMA 12/60(61014)
Technicon SMAC(61016)
Technicon SMAC 2(61045)
Technicon SMAC 3(61046)
Wako Autokit(70102)

Analyte: (6407) Urinary Calculi

Test System, Assay, Examination

Oxford Qualitative Stone Analysis Set(46114)

Analyte: (6409) Urokinase

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (6707) Vitamin B12

Test System, Assay, Examination

Becton Dickinson SimulTRAC(07106)
Becton Dickinson SimulTRAC S(07107)
Becton Dickinson SimulTRAC SNB(07108)
Bio-Rad Quantaphase(07354)
Ciba Corning Magic (MGC)(10051)
Ciba Corning Magic Boil(10054)
Ciba Corning Magic Lite(10055)
Ciba Corning Magic/NB (no boil)(10057)
Clinical Assays NO-Boil(10062)
Clinical Assays Solid Phase(10063)
Diagnostic Products Corp. Charcoal Boil(13028)
Diagnostic Products Corp. Dualcount Charcoal(13032)
Diagnostic Products Corp. Dualcount No Boil(13033)
Diagnostic Products Corp. Dualcount Solid Phase Boil(13034)
Diagnostic Products Corp. Solid Phase/N Boil(13041)
Micromedic Combostat II(40083)

Analyte: (7902) Zinc

Test System, Assay, Examination

Wako Zn Test Kit(70101)
esa Model 3010A Trace Metals Analyzer(16020)

SPECIALITY/SUBSPECIALITY: General Immunology

Analyte: (0411) Adenovirus Antibodies

Test System, Assay, Examination

Bio-Medical Virotech ELISA Antibody Test(07313)

Analyte: (0417) Allergen Specific IgE

Test System, Assay, Examination

ALerCHEK FlipSCREEN II Visual Allergy Test(04004)
ALerCHEK FlipSCREEN quantitative Allergy Tests(04006)
BioWhittaker 3M Allergen Specific IgE FAST-Plus Test(07314)
BioWhittaker 3M IgE FASTSCREEN Test(07316)
Ciba Corning Magic Lite(10055)
Dexall Biomedical AllergEns ActiTip System(13208)
Diagnostic Products Corp. AlaSTAT Allergen Specific IgE(13026)
Diagnostic Products Corp. AlaTOP Allergy Screen(13206)
Diagnostic Products Corp. Milenia AlaSTAT(13169)
In Vitro Technologies IVT RAST Tracer Unit(28125)
Kallestad Allercoat EAST(34042)
Kallestad Allercoat RAST(34043)
Kallestad Allercoat Rapid EAST(34041)
MAST CLA Allergy Systems (chemiluminescence)(40112)
Pharmacia CAP System RAST FEIA(49047)
Pharmacia CAP System RAST RIA(49048)
Pharmacia Phadebas RAST(49043)
Pharmacia Phadebas RAST Penicilloyl G/Penicilloyl V(49042)
Pharmacia Phadezym RAST(49041)
Pharmacia Phadiatop EIA(49044)
Pharmacia Phadiatop RIA(49045)
Ventrex Specific IgE EIA(67056)
Ventrex Specific IgE RAST Isotope Unit(67057)
Ventrex TURBO-RAST Specific IgE Isotope Unit(67059)

Analyte: (0418) Allergen Specific IgG

Test System, Assay, Examination

BioWhittaker 3M Allergen Specific IgG4 FAST Test(07315)
Pharmacia IgG RAST EIA(49038)
Pharmacia IgG RAST RIA(49037)

Analyte: (0420) Alpha-1-Acid Glycoprotein (orosomucoid)

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Hycor Accuplate(25024)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM Test Kit(55075)

Analyte: (0421) Alpha-1-Antitrypsin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Alpha-1 Antitrypsin RID(61079)

Analyte: (0422) Alpha-2-Macroglobulin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Alpha-2 Macroglobulin RID(61078)

Analyte: (0424) Alpha-Fetoprotein—Tumor Marker

Test System, Assay, Examination

Abbott AFP (EIA)(04023)
Abbott COMMANDER System(04334)
Amersham Amerlex(04146)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Double Antibody(13031)
Hybritech Tandem-E(25022)

Analyte: (0430) Anti-Adrenal Antibodies

Test System, Assay, Examination

Scimedx Anti-adrenal Test System(58015)

Analyte: (0433) Anti-Cardiac Muscle Antibodies

Test System, Assay, Examination

Scimedx CMA Test System(58017)

Analyte: (0434) Anti-Cardiolipin Antibodies

Test System, Assay, Examination

Apotex Cardiolipin ELISA(04335)
BioHyTech EIA Kit(07145)
Biopool Imulyse ACA(07244)
General Biometrics ImmunoWELL Cardiolipin Ab (IgG) Test(22119)
General Biometrics ImmunoWELL Cardiolipin Ab (IgM) Test(22118)
Immuno Concepts Anti-cardiolipin Ab Semi-quant. Test System(28143)
Reaads Medical Products Anti-cardiolipin Semi-quant. Test(55013)
Sanofi/Kallestad Anti-cardiolipin Kit (EIA)(58001)
Sigma SIA Anti-Cardiolipin(58178)
TheraTest Laboratories EL-ACA Test(61017)

Analyte: (0435) Anti-DNA Antibodies

Test System, Assay, Examination

Antibodies Inc. CrithiDNA Test Kit(04221)
Apotex dsDNA ELISA(04321)

Behring AFT System II(07113)
BioHyTech EIA Kit(07145)
BioWhittaker FIAX System(07328)
BioWhittaker RheumELISA Kit(07345)
BioWhittaker RheumElisa Plus Microwell Assay(07239)
BioWhittaker dsDNA STAT(07353)
Diagnostic Products Corp. Solid Phase(13112)
Diamedix Anti-dsDNA Microassay(13235)
Du Pont RIANIN Anti-dsDNA RIA Kit(13217)
General Biometrics ImmunoWELL dsDNA Ab Test(22124)
Hemagen DNA(25011)
Immuno Concepts Colorzyme nDNA Test System(28132)
Immuno Concepts Fluorescent nDNA Ab Test System(28138)
Incstar nDNA Fluoro-Kit(28050)
MarDx Anti-nDNA Antibody Test System(40007)
MeDiCa A-nDNA-A Test Kit(40023)
MeDiCa ANA/A-nDNA-A Test Kit(40026)
MeDiCa Multiple Antibody Test Kit(40031)
Reaads Medical Products Anti-ds DNA Semi-quantitative Test(55014)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx nDNA Test System(58030)
Sigma SIA Anti-DNA(58211)
TheraTest Laboratories EL-ANA Profiles Test(61018)
Virgo Anti-nDNA IFA Test(67017)
Zeus Anti-DNA Test System(79002)
elias usa Synelisa dsDNA Antibodies(16019)

Analyte: (0436) Anti-DNP Antibodies

Test System, Assay, Examination

BioHyTech EIA Kit(07145)
Diamedix Anti-DNP Microassay(13236)
Sigma SIA Anti-DNP(58212)

Analyte: (0437) Anti-Histone Antibodies

Test System, Assay, Examination

Apotex Histone ELISA(04329)
BioHyTech EIA Kit(07145)

Analyte: (0438) Anti-Jo-1

Test System, Assay, Examination

Apotex Jo-1 ELISA(04362)
Diamedix Anti-Jo-1 Microassay(13230)
Hemagen ENA(25012)

Analyte: (0439) Anti-Mitochondrial Antibodies (AMTA)

Test System, Assay, Examination

Apotex Mitochondral ELISA(04317)
Behring AFT System I(07112)
Incstar Fluoro-Kit(28042)
MarDx Autoimmune IFA Screening Test System(40008)
MarDx Mitochondrial Antibodies Test System(40016)
MeDiCa AMA Test Kit(40024)
MeDiCa Multiple Antibody Test Kit(40031)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx Auto Screen Test System(58016)
Scimedx MA Test System(58026)
Virgo AMA IFA Test(67015)
Zeus Autoantibody Screen (AAS) Test System(79032)
Zeus MA Test System(79018)

Analyte: (0440) Anti-Neutrophil Cytoplasm Antibodies

Test System, Assay, Examination

Scimedx Anti-Neutrophil Cytoplasm Antibodies IFA Test(58014)

Analyte: (0441) Anti-Nuclear Antibodies (ANA)

Test System, Assay, Examination

Amico ANA Test System(04157)
Antibodies Inc. Antinuclear Antibody (ANA) Test Kit (FA)(04220)
Behring AFT System HEp(07243)
Behring AFT System I(07112)
BioHyTech EIA Kit(07145)
BioWhittaker FIAX System(07328)
Bion ANA Test Kit(07153)
Clinical Sciences ANAFLUOR(10065)
Hemagen ANA System (FA)(25010)
INOVA Diagnostics NOVALite ANA (IFA)(28001)
Immuno Concepts Colorzyme ANA Test System(28131)
Immuno Concepts Fluorescent ANA Test System(28024)
Incstar ANA Colorimetric Kit(28035)
Incstar ANAFAST Kit(28036)
Incstar ANAFLUOR Kit(28037)
Incstar ANAZYME Kit(28038)
Incstar Fluoro-Kit(28042)
Incstar RL Fluoro-Kit ANA Fluorescent Test(28049)
MarDx ANA Test System(40004)
MarDx Autoimmune IFA Screening Test System(40008)
MeDiCa ANA Test Kit(40025)
MeDiCa ANA/A-nDNA-A Test Kit(40026)
MeDiCa Multiple Antibody Test Kit(40031)
Ortho Fluoroset ANA(46069)
Quidel ANA IFA kit(52001)
Sanofi/Kallestad ANA Microplate EIA(58256)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx ANA Test System(58012)
Scimedx Auto Screen Test System(58016)
Virgo ANA IFA Test(67016)
Zeus ANA HEp-2 Cell Culture IFA Test System(79033)
Zeus ANA Test(79001)
Zeus Autoantibody Screen (AAS) Test System(79032)

Analyte: (0442) Anti-Parietal Cell Antibodies

Test System, Assay, Examination

Incstar Fluoro-Kit(28042)
MarDx Autoimmune IFA Screening Test System(40008)
MarDx Parietal Cell Antibody Test System(40017)
MeDiCa APCA Test Kit(40027)
MeDiCa Multiple Antibody Test Kit(40031)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx Auto Screen Test System(58016)
Scimedx PCA Test System(58027)
Zeus Autoantibody Screen (AAS) Test System(79032)

Analyte: (0443) Anti-RNP (Ribonucleoprotein)

Test System, Assay, Examination

Apotex ENA Profile ELISA(04316)
Apotex SM/RNP ELISA(04310)
Behring ENA I Test(07114)
BioHyTech EIA Kit(07145)
BioWhittaker RheumELISA Kit(07345)
BioWhittaker RheumElisa Plus Microwell Assay(07239)
Diamedix Anti-RNP Microassay(13237)
General Biometrics ImmunoWELL RNP/Sm Ab Test(22117)
Hemagen ENA(25012)
Immuno Concepts Sm/RNP Ab Test System(28126)
Kallestad Sm/RNP ENA(34047)
Reaads Medical Products Anti-ENA (Sm/RNP complex) Qual Test(55011)
Scimedx ENA Detect I Test System(58019)
Scimedx ENA Detect II Test System(58020)
Scimedx ENA Detect III Test System(58021)
Shield Diagnostics DIASTAT ENA Profile Kit(58135)
TheraTest Laboratories EL-ANA Profiles Test(61018)
Zeus Poly-ENA Assay(79022)

Analyte: (0444) Anti-Reticulin Antibodies

Test System, Assay, Examination

Scimedx Auto Screen Test System(58016)

Analyte: (0446) Anti-SS-A/Ro

Test System, Assay, Examination

Apotex ENA Profile ELISA(04316)
Apotex SS-A ELISA(04318)
BioWhittaker RheumELISA Kit(07345)
BioWhittaker RheumElisa Plus Microwell Assay(07239)
Diamedix Anti-SSA Microassay(13238)
General Biometrics ImmunoWELL SS-A (Ro) Antibody Test(22050)
Hemagen ENA(25012)
Immuno Concepts SS-A/SS-B Autoantibody Test System(28144)
Kallestad SSA/SSB ENA(34046)
Scimedx ENA Detect III Test System(58021)
Shield Diagnostics DIASTAT ENA Profile Kit(58135)
TheraTest Laboratories EL-ANA Profiles Test(61018)
Zeus Poly-ENA Assay(79022)

Analyte: (0447) Anti-SS-B/La

Test System, Assay, Examination

Apotex ENA Profile ELISA(04316)
Apotex SS-B ELISA(04319)
BioWhittaker RheumELISA Kit(07345)
BioWhittaker RheumElisa Plus Microwell Assay(07239)
Diamedix Anti-SSB Microassay(13239)
General Biometrics ImmunoWELL SS-B (La) Antibody Test(22051)
Hemagen ENA(25012)
Immuno Concepts SS-A/SS-B Autoantibody Test System(28144)
Kallestad SSA/SSB ENA(34046)
Scimedx ENA Detect II Test System(58020)
Scimedx ENA Detect III Test System(58021)
Shield Diagnostics DIASTAT ENA Profile Kit(58135)
TheraTest Laboratories EL-ANA Profiles Test(61018)
Zeus Poly-ENA Assay(79022)

Analyte: (0448) Anti-Scl-70

Test System, Assay, Examination

Apotex Scl-70 ELISA(04323)
Diamedix Anti-Scl-70 Microassay(13240)
Hemagen ENA(25012)

Analyte: (0449) Anti-Skin Antibodies

Test System, Assay, Examination

MarDx Anti-Skin Antibody Test System(40005)

MeDiCa ASA Test Kit(40028)
Scimedx ASA Test System(58013)
Zeus Anti-Skin Antibody Test System(79003)

Analyte: (0450) Anti-Sm (Smith)

Test System, Assay, Examination

Apotex ENA Profile ELISA(04316)
Apotex SM ELISA(04320)
Apotex SM/RNP ELISA(04310)
BioHyTech EIA Kit(07145)
BioWhittaker RheumELISA Kit(07345)
BioWhittaker RheumElisa Plus Microwell Assay(07239)
Diamedix Anti-Sm Microassay(13241)
General Biometrics ImmunoWELL RNP/Sm Ab Test(22117)
General Biometrics ImmunoWELL Sm Antibody Test(22052)
Hemagen ENA(25012)
Immuno Concepts Sm/RNP Ab Test System(28126)
Kallestad Sm/RNP ENA(34047)
Reaads Medical Products Anti-ENA (Sm/RNP complex) Qual Test(55011)
Reaads Medical Products Anti-Sm Qualitative Test(55012)
Scimedx ENA Detect I Test System(58019)
Scimedx ENA Detect II Test System(58020)
Scimedx ENA Detect III Test System(58021)
Shield Diagnostics DIASTAT ENA Profile Kit(58135)
TheraTest Laboratories EL-ANA Profiles Test(61018)
Zeus Poly-ENA Assay(79022)

Analyte: (0451) Anti-Smooth Muscle Antibodies (ASMA)

Test System, Assay, Examination

Behring AFT System I(07112)
Incstar Fluoro-Kit(28042)
MarDx Autoimmune IFA Screening Test System(40008)
MarDx Smooth Muscle Antibody Test System(40018)
MeDiCa ASMA Test Kit(40029)
MeDiCa Multiple Antibody Test Kit(40031)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx SMA Test System(58028)
Zeus Autoantibody Screen (AAS) Test System(79032)
Zeus SMA Test System(79024)

Analyte: (0453) Anti-Thyroglobulin Antibodies

Test System, Assay, Examination

Ames Sera-tek(04153)
General Biometrics ImmunoWELL Thyroglobulin Ab Test(22122)
Kronus Kalibre-R Thyroglobulin Antibody RIA Kit(34023)
Murex Thymune-T(40158)
Wellcome Thymune-T(70138)

Analyte: (0454) Anti-Thyroid Antibodies

Test System, Assay, Examination

Incstar MT Fluoro-Kit(28046)
MarDx Anti-Thyroid Antibody Test System(40006)
MeDiCa ATA Test Kit(40030)
Sanofi/Kallestad Quantifluor Kit(58011)
Scimedx TA Test System(58029)
Zeus TA Test System(79025)

Analyte: (0455) Anti-Thyroid Microsomal Antibodies (AMA)

Test System, Assay, Examination

Ames Sera-tek(04153)
General Biometrics ImmunoWELL Microsomal(Recomb.TPO)Ab Test(22049)
General Biometrics ImmunoWELL Microsome (TPO) Ab Test(22123)
Kronus Kalibre TPO Antibody RIA Kit(34021)
Murex Thymune-M(40157)
Wellcome Thymune-M(70137)

Analyte: (0465) Aspergillus Antibodies

Test System, Assay, Examination

Immuno-Mycologics Aspergillus Antigens and Control Sera(28124)

Analyte: (0703) Beta-2 Microglobulin

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Milenia(13111)
Diagnostic Systems Beta2–Microglobin (IEMA)(13165)
Diagnostic Systems Beta2–Microglobin (RIA)(13164)
Serex Beta-2 Microglobulin EIA Kit(58153)
The Binding Site Human Beta-2 Microglobulin EL RID(61074)

Analyte: (1001) C-Reactive Protein (CRP)

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
BioWhittaker FIAX System(07328)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site C-Reactive Protein (Turbidimetric)(61091)
The Binding Site Human C-Reactive Protein EL RID(61075)
Wako Autokit(70102)

Analyte: (1049) Cancer Antigen 125 (CA 125)

Test System, Assay, Examination

Abbott CA 125 RIA(04276)

Analyte: (1008) Candida Albicans Antibodies

Test System, Assay, Examination

Immuno-Mycologics Candi-Sphere EIA (CEIA)(28025)
Immuno-Mycologics ID-Candida Antibody System(28027)
Meridian Diagnostics Candida Immunodiffusion System(40060)

Analyte: (1013) Carcinoembryonic Antigen (CEA)

Test System, Assay, Examination

Abbott CEA-EIA Monoclonal(04037)
Abbott CEA-EIA One-Step(04038)
Abbott COMMANDER System(04334)
Abbott RIA Monoclonal(04062)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Roche CEA-Roche EIA(55102)

Analyte: (1057) Cerebrospinal Fluid Protein Fractions

Test System, Assay, Examination

Beckman Paragon HRE Electrophoresis Kit(07370)
Beckman Paragon Immunoelectrophoresis (IEP) Kit(07374)
Beckman Paragon Immunofixation Electrophoresis (IFE) Kit(07375)
Beckman Paragon SPE Electrophoresis Kit(07369)
Beckman Paragon SPE-II Electrophoresis Kit(07368)
Isolab Resolve-CSF(28187)

Analyte: (1015) Ceruloplasmin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Caeruloplasmin RID(61081)

Analyte: (1017) Chlamydia Trachomatis Antibodies

Test System, Assay, Examination

Amico Amizyme Chlamydia trachomatis Antibody Test(04159)
BioWhittaker CHLAMYDELISA II(07319)
BioWhittaker CHLAMYDIA STAT(07320)
Incstar Fluoro-Kit(28042)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Virgo Chlamydia trachomatis IFA Test(67018)

Analyte: (1024) Coccidioides Antibodies

Test System, Assay, Examination

Immuno-Mycologics ID-Cocci Antibody System(28028)
Meridian Diagnostics Coccidioides Immunodiffusion System(40101)
Meridian Diagnostics Premier Coccidioides EIA(40121)

Analyte: (1027) Complement C1

Test System, Assay, Examination

Kent Radial Immunodiffusion Test(34010)

Analyte: (1026) Complement C1 Inhibitor

Test System, Assay, Examination

Kent Radial Immunodiffusion Test(34010)
Quidel C1–Inhibitor EIA(52003)
The Binding Site Human C1 Inactivator RID(61080)

Analyte: (1064) Complement C1q

Test System, Assay, Examination

The Binding Site Human Complement C1q NL RID(61073)

Analyte: (1029) Complement C3

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)

BioWhittaker FIAX System(07328)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Complement C3 & C4 RID(61072)

Analyte: (1030) Complement C4

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioWhittaker FIAX System(07328)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Complement C3 & C4 RID(61072)

Analyte: (1031) Complement C5

Test System, Assay, Examination

Kent Radial Immunodiffusion Test(34010)

Analyte: (1046) Complement, Total

Test System, Assay, Examination

Kallestad Quantiplate RID(34003)
Sigma Diagnostics Test Kit(58051)

Analyte: (1039) Cytomegalovirus Antibodies

Test System, Assay, Examination

Abbott CMV Total Ab (EIA)(04039)
Abbott COMMANDER System(04334)
Amico Amizyme CMV Ab Test(04158)
Analytab ACCU-LYZA CMV IgG ELISA Test System(04341)
Analytab ACCU-LYZA CMV IgM ELISA Test System(04340)
Baxter Bartels PRIMA Cytomegalovirus IgG EIA(07296)
Baxter Bartels PRIMA Cytomegalovirus IgM EIA(07297)
Bio-Medical Virotech ELISA Antibody Test(07313)
BioWhittaker CMV CAP-M(07321)
BioWhittaker CMV STAT(07322)
BioWhittaker CMV STAT M(07323)
BioWhittaker CYTOMEGELISA II(07324)
BioWhittaker FIAX System(07328)
Bion CMV-G Antibody Test System(07154)
Diamedix CMV IgG Microassay(13224)
Diamedix CMV IgM Microassay(13225)
General Biometrics Cytomegalovirus IgG IFA Test(22150)
General Biometrics Cytomegalovirus IgM IFA Test(22151)
Gull Laboratories CMV IFA Antibodies Test(22073)
Gull Laboratories CMV IgG ELISA(22074)
Gull Laboratories CMV IgM ELISA(22075)
Gull Laboratories CMV IgM IFA Test(22076)
Immucor Capture CMV(28018)
Immuno Concepts CMV IgG Ab Test System(28137)
Immuno Concepts CMV IgM Ab Test System(28141)
Incstar Clin-ELISA Cytomegalovirus IgG(28219)
Incstar Clin-ELISA Cytomegalovirus IgM(28220)
Incstar Fluoro-Kit(28042)
Olympus PK7100 Automated Pretransfusion Blood Test System(46003)
Pharmacia CMV IgG ELISA(49019)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Sigma SIA CMV IgG(58214)
Sigma SIA CMV IgM(58213)
Syva MicroTrak CMV-M EIA(58147)
Syva MicroTrak CMV-TA EIA(58148)
Virgo Cytomegalovirus IFA Test(67019)
Zeus CMV IgG ELISA Test System(79005)
Zeus CMV IgG IFA Test System(79004)
Zeus CMV IgM ELISA Test System(79029)
Zeus CMV IgM IFA Test System(79037)

Analyte: (1601) Entamoebia Histolytica Antibodies

Test System, Assay, Examination

LMD Laboratories Amebiasis Microtiter ELISA (spectrophoto)(37024)
LMD Laboratories Amebiasis Microtiter ELISA (visual)(37052)
Sigma SIA Amebiasis(58191)

Analyte: (1603) Epstein-Barr Virus Antibodies

Test System, Assay, Examination

Amico Amizyme EB-VCA Virus Antigen IgM Test (spectrophoto)(04294)
Amico Amizyme EB-VCA Virus Antigen IgM Test (visual)(04367)
Amico Amizyme EBV Ab Test(04160)
Baxter Bartels PRIMA Epstein Barr Virus IgG EIA(07285)
Baxter Bartels PRIMA Epstein Barr Virus IgM EIA(07284)
BioWhittaker EB VCA STAT(07325)
BioWhittaker EB VCA STAT M(07326)
BioWhittaker EBNA STAT(07327)
BioWhittaker FIAX System(07328)
Bion EBV-G (VCA) Antibody Test System(07155)
Bion EBV-M (VCA) Antibody Test System(07156)
Diagnostic Technology EBNA Check(13045)
Diagnostic Technology EBV Check(13046)
Diagnostic Technology EBV/EA Check(13047)
Diagnostic Technology EBV/IgM Check(13048)
Granbio Inc. EBNA Anti-complement IFA(22067)
Granbio Inc. Epstein-Barr EA IgG IFA(22068)
Granbio Inc. Epstein-Barr VCA IgG EIA(22069)
Granbio Inc. Epstein-Barr VCA IgG IFA(22070)
Granbio Inc. Epstein-Barr VCA IgM EIA(22071)
Granbio Inc. Epstein-Barr VCA IgM IFA(22072)
Gull Laboratories EBV IFA Antibodies Test(22077)
Gull Laboratories EBV IgG ELISA(22078)
Gull Laboratories EBV IgM ELISA(22079)
Gull Laboratories EBV IgM IFA Test(22080)
Gull Laboratories EBV-EA Test(22081)
Gull Laboratories EBV-NA Test(22082)
Hillcrest Biologicals EBNA Ab IFA Test(25040)
Hillcrest Biologicals EBV Early Antigen IFA Test(25041)
Hillcrest Biologicals EBV VCA(IgG) IFA Test(25043)
Hillcrest Biologicals EBV VCA(IgM) IFA Test(25042)
Immuno Concepts Colorzyme EA Ab Test System(28133)
Immuno Concepts Colorzyme EBNA Ab Test System(28134)
Immuno Concepts Colorzyme EBV-VCA IgG Ab Test System(28136)
Immuno Concepts Colorzyme EBV-VCA IgM Ab Test System(28135)
Immuno Concepts EBNA Ab Test System(28145)
Immuno Concepts EBV-EA Ab Test System(28139)
Immuno Concepts EBV-VCA IgG Ab Test System(28142)
Immuno Concepts EBV-VCA IgM Ab Test System(28140)
Incstar Clin-ELISA Epstein-Barr EBNA IgG(28225)
Incstar Clin-ELISA Epstein-Barr EBNA IgM(28226)
Incstar Clin-ELISA Epstein-Barr VCA IgG(28223)
Incstar Clin-ELISA Epstein-Barr VCA IgM(28224)
Organon Teknika EB-VCA IFA Kit II(46024)
Organon Teknika EBNA ACIF Kit(46025)
Organon Teknika EBV-EA IFA Kit(46026)
Organon Teknika EBV-M Kit(46027)
Ortho EBNA IgG Antibody ELISA(46058)
Ortho Epstein-Barr Virus VCA-IgG Antibody ELISA(46066)
Ortho Epstein-Barr Virus VCA-IgM Antibody ELISA(46067)
Pharmacia Epstein Barr Virus Viral Capsid Antigen IgG ELISA(49021)
Pharmacia Epstein Barr Virus Viral Capsid Antigen IgM ELISA(49022)
Sigma SIA Epstein-Barr EBNA IgM/IgG(58173)
Sigma SIA Epstein-Barr VCA IgG(58175)
Sigma SIA Epstein-Barr VCA IgM(58174)
Virgo Epstein-Barr Virus—VCA Antibody IFA Test(67020)
Zeus EBV-EA Test System(79006)
Zeus EBV-NA (ACIF) Ab Test System(79035)
Zeus EBV-VCA IFA Test System(79030)
Zeus EBV-VCA IgM Antibody IFA Test System(79031)

Analyte: (1912) Fungus Antibodies

Test System, Assay, Examination

Immuno-Mycologics ID-Fungal Antibody System(28029)
Meridian Diagnostics Fungal Immunodiffusion System(40062)

Analyte: (2214) Globulin, Total

Test System, Assay, Examination

Sigma Diagnostics Test Kit(58051)

Analyte: (2506) HIV Antibodies

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott HIVAB HIV–1 EIA(04053)
Abbott HIVAB HIV–1/HIV–2 (rDNA) EIA(04274)
Bio-Rad Novapathe HIV–1 Immunoblot(07140)
Cambridge Biotech HIV–1 WB(10008)
Cambridge Biotech Recombigen (env. & gag) HIV–1 EIA(10010)
Cellular Products Retro-Tek HIV–1 ELISA(10029)
Du Pont HIV–1 ELISA(13088)
Electronucleonics HIV–1 IgG EIA(16008)
Genetic Systems HIV–1/HIV–2 EIA(22062)
Genetic Systems HIV–2 EIA(22063)
Genetic Systems LAV EIA(22064)
Organon Teknika Bio-EnzaBead HIV(46017)
Organon Teknika Epiblot HIV(46028)
Organon Teknika Vironostika HIV–1 Microelisa System(46036)
Ortho Diagnostics HIV–1 ELISA(46057)
Syva MicroTrak HIV–1 (env. & gag) EIA(58087)
United Biomedical HIV–1 EIA(64016)

Analyte: (2507) HIV Antigen

Test System, Assay, Examination

Abbott HIVAG–1(04054)

Analyte: (2508) HTLV Antibodies

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott HTLV–1 EIA(04055)
Cambridge Biotech HTLV–1 ELISA(10146)
Cellular Products Retro-Tek HTLV–1 ELISA(10030)
Du Pont HTLV–1 ELISA(13089)
Organon Teknika Vironstika HTLV–1 Microelisa Assay(46113)

Analyte: (2511) Haptoglobin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
BioWhittaker FIAX System(07328)
Helena Laboratories Haptoglobin(25081)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Haptoglobin RID(61082)

Analyte: (2513) Helicobacter Pylori Antibodies

Test System, Assay, Examination

BioWhittaker FIAX System(07328)
BioWhittaker PYLORI STAT(07340)
Biomerica GAP-IgG ELISA(07245)
Hycor PYLORAGEN H. pylori Test Kit(25049)
Meridian Premier Helicobacter pylori HM-CAP(40105)
Quidel Helicobacter pylori Microwell EIA Test(52012)

Analyte: (2519) Hepatitis A Virus Antibody

Test System, Assay, Examination

ADI Heprofile Anti-HAV IgM EIA(04001)
Abbott COMMANDER System(04334)
Abbott HAVAB EIA(04046)
Abbott HAVAB RIA(04047)
Abbott HAVAB-M EIA(04048)
Abbott HAVAB-M RIA(04049)
Organon Teknika Hepanostika Anti-HAV IgM Microelisa System(46030)
Organon Teknika Hepanostika Anti-HAV Microelisa Total Ab.(46031)
Sorin Biomedica AB-HAVK(58055)
Sorin Biomedica ETI AB-HAVK(58252)
Sorin Biomedica HA-IgMK (IRMA)(58063)
Syva MicroTrak II Total Anti-HAV EIA(58142)
Syva MicroTrak Total Anti-HAV EIA(58155)

Analyte: (2521) Hepatitis B Core Antibody

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott CORAB(04040)
Abbott CORAB-M(04041)
Abbott CORZYME(04042)
Abbott CORZYME-M (r-DNA)(04369)
Genetic Systems Anti-HBc EIA(22059)
Organon Teknika Hepanostika ANTICORE Microelisa System(46029)
Ortho HBc ELISA(46070)
Sorin Biomedica AB-COREK, AB-COREK J(58054)
Sorin Biomedica CORE-IgMK (IRMA)(58057)
Sorin Biomedica ETI-AB-COREK (EIA)(58060)
Syva MicroTrak IgM Anti-HBcore EIA(58156)

Analyte: (2523) Hepatitis B Surface Antibody

Test System, Assay, Examination

ADI Heprofile Anti-HBs(04269)
Abbott AUSAB (EIA)(04024)
Abbott AUSAB (RIA)(04025)
Abbott AUSAB Quantitation Panel(04026)
Abbott COMMANDER System(04334)
Organon Teknika Microplate Anti-HBs EIA(46034)
Sorin Biomedica AB-AUK–3 (RIA)(58053)

Analyte: (2524) Hepatitis B Surface Antigen (HBsAg)

Test System, Assay, Examination

ADI Heprofile HBsAg(04270)
ADI Heprofile HBsAg Specificity Test Kit(04268)
Abbott AUSCELL (RPHA)(04027)
Abbott AUSCELL Confirmatory Test (RPHA)(04028)
Abbott AUSRIA (RIA)(04029)
Abbott AUSZYME Confirmatory Test(04031)
Abbott AUSZYME MONOCLONAL (EIA)(04030)
Abbott COMMANDER System(04334)
Genetic Systems HBsAg Confirmatory Test(22060)
Genetic Systems HBsAg EIA(22061)
Organon NML ELISA HBsAg Confirmatory Test(46005)
Organon NML ELISA HBsAg Screening Test(46006)
Organon NML RIA HBsAg Confirmatory Test(46010)
Organon NML RIA HBsAg Screening Test(46011)
Ortho Antibody to HBsAg ELISA Confirmatory Test(46041)
Ortho Antibody to HBsAg ELISA Test System II(46042)
Pharmacia Hepatitis B Surface Antigen Confirmatory Test(49007)
Pharmacia Hepatitis B Surface Antigen-AntiHBs ELISA(49008)
Sorin Biomedica AUK–3, AUK 3J (RIA)(58056)
Sorin Biomedica Confirmatory Test(58058)

Analyte: (2525) Hepatitis Be Antibody

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott HBe (rDNA) EIA(04050)
Abbott HBe RIA(04051)
Organon Teknika Hepanostika HBeAg/Anti-HBe Microelisa(46032)
Sorin Biomedica EBK (RIA)(58059)
Sorin Biomedica ETI-EBK (EIA)(58061)
Syva MicroTrak HBeAg/Anti-HBe EIA(58154)
Syva MicroTrak II Anti-HBe EIA(58144)

Analyte: (2526) Hepatitis Be Antigen

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott HBe (rDNA) EIA(04050)
Abbott HBe RIA(04051)
Organon Teknika Hepanostika HBeAg/Anti-HBe Microelisa(46032)
Sorin Biomedica EBK (RIA)(58059)
Sorin Biomedica ETI-EBK (EIA)(58061)
Syva MicroTrak HBeAg/Anti-HBe EIA(58154)
Syva MicroTrak II HBeAg EIA(58143)

Analyte: (2527) Hepatitis C Virus Antibody

Test System, Assay, Examination

Abbott COMMANDER System(04334)
Abbott HCV-EIA(04052)
Ortho HCV ELISA(46071)

Analyte: (2528) Hepatitis Delta Antibody

Test System, Assay, Examination

Abbott Anti-delta-EIA(04032)
Abbott Anti-delta-RIA(04033)

Analyte: (2530) Herpes Simplex I and/or II Antibodies

Test System, Assay, Examination

Amico Amizyme HSV Ab Test(04161)
Analytab ACCU-LYZA HSV–1 and HSV–2 ELISA Test System(04343)
Baxter Bartels PRIMA HSV 1 IgG EIA(07288)
Baxter Bartels PRIMA HSV 1 IgM EIA(07289)
Baxter Bartels PRIMA HSV 2 IgG EIA(07287)
Baxter Bartels PRIMA HSV 2 IgM EIA(07286)
BioWhittaker FIAX System(07328)
BioWhittaker HERPELISA II(07329)
BioWhittaker HERPES 1&2 STAT(07330)
BioWhittaker HERPES STAT(07331)
Bion HSV1–G or HSV2–G Test System(07157)
Diagnostic Technology HSV Check(13049)
Diamedix Herpes 1 & 2 Microassay(13242)
General Biometrics Herpes simplex Virus IgG IFA Test(22146)
General Biometrics Herpes simplex Virus IgM IFA Test(22147)
Gull Laboratories HSV IgG IFA Test(22083)
Gull Laboratories HSV IgM IFA Test(22084)
Gull Laboratories HSV–1 IgG ELISA(22085)
Gull Laboratories HSV–1 IgM ELISA(22086)
Gull Laboratories HSV–2 IgG ELISA(22087)
Gull Laboratories HSV–2 IgM ELISA(22088)
Incstar Clin-ELISA Herpes simplex Type-1 IgG(28221)

Incstar Clin-ELISA Herpes simplex Type-2 IgG(28222)
Incstar Fluoro-Kit(28042)
Ortho Herpes simplex virus Antibodies Fluoroset(46073)
Pharmacia Herpes simplex Virus, Type 1 IgG ELISA(49024)
Pharmacia Herpes simplex Virus, Type 2 IgG ELISA(49023)
Sigma SIA Herpes 1 and Herpes 2(58196)
Virgo Herpes Simplex Virus Type 1 Antibody IFA Test(67022)
Virgo Herpes Simplex Virus Type 2 Antibody IFA Test(67023)
Zeus HSV Antibody Test System(79009)
Zeus HSV–1 and HSV–2 IgG ELISA Test Systems(79010)

Analyte: (2541) Histamine

Test System, Assay, Examination

Biomerica RIA Test Kit(07256)

Analyte: (2531) Histoplasma Antibodies

Test System, Assay, Examination

Immuno-Mycologics ID-Histo Antibody System(28030)
Meridian Diagnostics Premier Histoplasma EIA(40134)

Analyte: (2801) Immune Complexes (CIC)

Test System, Assay, Examination

Diamedix Circulating Immune Complexes(13243)
Quidel CIC-C1q EIA(52004)
Quidel CIC-Raji Cell Replacement EIA(52005)
Sigma SIA Immune Complexes(58197)

Analyte: (2802) Immunoglobulins—Monoclonal/Polyclonal

Test System, Assay, Examination

Helena Laboratories Titan Gel ImmunoFix(25008)
Helena Laboratories Titan Gel ImmunoFix Plus(25060)
Helena Laboratories Titan Gel Immunoelectrophoresis(25009)
Helena Laboratories Titan IV Immunoelectrophoresis(25061)
Kallestad Immunoelectrophoresis System(34002)

Analyte: (2803) Immunoglobulins IgA

Test System, Assay, Examination

Ames OPTIMATE(04275)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Behring S-partigen Kit(07246)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioWhittaker FIAX System(07328)
Helena Laboratories Low Level Quiplate System for RID(25055)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate Low Level Immunoglobulin Test Kit(34036)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID(61067)

Analyte: (2804) Immunoglobulins IgD

Test System, Assay, Examination

Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Immunoglobulin D RID(61076)

Analyte: (2805) Immunoglobulins IgE

Test System, Assay, Examination

ALerCHEK FlipSCREEN Total IgE(04005)
BioWhittaker 3M Total IgE II FAST Test(07318)
BioWhittaker FIAX System(07328)
Ciba Corning Magic Lite(10055)
Dexall Biomedical AllergE ActiTip System(13207)
Diagnostic Products Corp. AlaSTAT Total IgE(13027)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Milenia(13111)
Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)
Immunotech EZ-BEAD EIA Kit(28173)
Kallestad Allercoat EAST(34042)
Kallestad Allercoat RAST(34043)
Kallestad QuantiCLONE(34032)
Kallestad Quantizyme IgE(34033)
Leeco Diagnostics IgE Quant(37008)
MAST CLA Allergy Systems (chemiluminescence)(40112)
Medix Biotech IgE Enzyme Immunoassay Test(40102)
Nichols Institute Allegro IgE(43009)
Pharmacia CAP System IgE FEIA(49046)
Pharmacia CAP System IgE RIA(49049)
Pharmacia IgE EIA(49032)
Pharmacia IgE EIA Ultra(49035)
Pharmacia IgE RIA(49033)
Pharmacia IgE RIA Ultra(49036)
Pharmacia IgE RIACT(49034)
Pharmacia Phadebas IgE PRIST(49040)
Pharmacia Phadezym IgE PRIST(49039)
Sanofi/Kallestad Total IgE Microplate(58231)
Serono Baker Serozyme(58091)
Serono Diagnostics Serozyme(58251)
Ventrex PD IgE RIA(67060)
Ventrex Total IgE EIA Extended Range(67058)
Ventrex Total IgE RIA Extended Range(67061)

Analyte: (2806) Immunoglobulins IgG

Test System, Assay, Examination

Ames OPTIMATE(04275)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioWhittaker FIAX System(07328)
Helena Laboratories Low Level Quiplate System for RID(25055)
Helena Laboratories Quiplate RID Mid-Level IgG(25056)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate Low Level Immunoglobulin Test Kit(34036)
Kallestad Endoplate RID(34001)
Kallestad Endoplate Ultra Low Level IgG Test Kit(34034)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID(61067)

Analyte: (2807) Immunoglobulins IgG Subclasses

Test System, Assay, Examination

Janssen Biochemica IgG subclasses ELISA Kit(31001)
The Binding Site BINDAZYME Human IgG Subclasses EIA(61084)
The Binding Site Human IgG Subclasses Monoclonal RID(61070)
The Binding Site Human IgG Subclasses Single Dilution RID(61071)

Analyte: (2808) Immunoglobulins IgM

Test System, Assay, Examination

Ames OPTIMATE(04275)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Behring S-partigen Kit(07246)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioWhittaker FIAX System(07328)
Helena Laboratories Low Level Quiplate System for RID(25055)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate Low Level IgM Test Kit(34035)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Immunoglobulin G,A,M Polyclonal RID(61067)

Analyte: (2810) Influenza A Antibodies

Test System, Assay, Examination

Bio-Medical Virotech ELISA Antibody Test(07313)

Analyte: (2811) Influenza B Antibodies

Test System, Assay, Examination

Bio-Medical Virotech ELISA Antibody Test(07313)

Analyte: (2817) Intrinsic Factor Blocking Antibody (IFbAb)

Test System, Assay, Examination

Diagnostic Products Corp. Solid Phase(13112)

Analyte: (3402) Kappa Light Chains

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Helena Laboratories Titan IV Double Diffusion(25039)

Analyte: (3705) Lambda Light Chains

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Helena Laboratories Titan IV Double Diffusion(25039)

Analyte: (3707) Legionella Antibodies

Test System, Assay, Examination

MarDx Legionella IFA Test System(40010)
Organon Teknika Legionella IFA Kit I(46033)
Scimedx Lyme Detect Test System(58025)
Zeus Legionella IFA Antibody Test System(79013)

Analyte: (3718) Leptospira Antibodies

Test System, Assay, Examination

Hillcrest Biologicals Leptospirosis IHA(25047)

Analyte: (3714) Lyme Disease Antibodies (Borrelia Burgdorferi Abs)

Test System, Assay, Examination

Analytab API Lyme ELISA Test Kit(04328)
Baxter Bartels PRIMA Lyme Disease EIA(07298)
BioWhittaker 3M IgG/IgM FASTLYME Test(07317)
BioWhittaker FIAX System(07328)
BioWhittaker LYME STAT(07332)
BioWhittaker LYME STAT M(07333)
Cambridge Biotech Human Lyme EIA(10009)
Diamedix Lyme Disease Microassay(13244)
Diamedix Lyme IgM Microassay(13170)
General Biometrics ImmunoWELL Borrelia (Lyme) Test(22048)
General Biometrics ImmunoWELL Recombinant P39 (Lyme) Test(22054)
Gull Laboratories Lyme IgM ELISA(22089)
Hillcrest Biologicals Lyme Disease ELISA(25050)
Hillcrest Biologicals Lyme Disease IFA (IgG) Test(25044)
MarDx Lyme Disease EIA (IgM & IgG)(40011)
MarDx Lyme Disease EIA IgG(40012)
MarDx Lyme Disease EIA IgM(40013)
MarDx Lyme Disease IgG IFA Test System(40014)
MarDx Lyme Disease IgM IFA Test System(40015)
Sanofi Pasteur Platelia Lyme(58137)
Scimedx Lyme Detect Test System(58025)
Sigma SIA Lyme Disease(58100)
Zeus Lyme Disease IFA Antibody Test System(79014)
Zeus Lyme ELISA Combo Test System(79015)
Zeus Lyme IgG ELISA Test System(79016)
Zeus Lyme IgM ELISA Test System(79017)

Analyte: (3717) Lysozyme

Test System, Assay, Examination

Kallestad Quantiplate RID(34003)

Analyte: (4007) Mumps Antibodies

Test System, Assay, Examination

BioWhittaker FIAX System(07328)
BioWhittaker MUMPSTAT(07337)
Pharmacia Mumps IgG ELISA(49020)
Virgo Mumps Antibody IFA Test(67025)

Analyte: (4016) Mycoplasma Pneumonia Antibodies

Test System, Assay, Examination

BioWhittaker FIAX System(07328)
BioWhittaker MYCOPLASMA STAT(07338)
BioWhittaker MYCOPLASMELISA II(07339)
Incstar IgM-MP Reverse ELISA Kit(28044)
Incstar Mp Test IgM/IgG MA Reverse ELISA Kit(28047)
Seradyn Color Vue - Mycoplasma pneumonia(58041)
Zeus MP IgG IFA Test System(79019)
Zeus MP IgM IFA Test System(79020)

Analyte: (4911) Prealbumin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring M-partigen Kit(07118)
Instrumentation Laboratory Multistat III(28183)
Kent Radial Immunodiffusion Test(34010)
The Binding Site Human Prealbumin RID(61083)

Analyte: (4916) Properdin Factor B

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Kent Radial Immunodiffusion Test(34010)

Analyte: (4919) Prostatic Specific Antigen (PSA)

Test System, Assay, Examination

Hybritech Tandem-E(25022)
Hybritech Tandem-R(25023)

Analyte: (4920) Protein Fractions

Test System, Assay, Examination

Beckman Paragon HRE Electrophoresis Kit(07370)
Beckman Paragon Immunoelectrophoresis (IEP) Kit(07374)
Beckman Paragon Immunofixation Electrophoresis (IFE) Kit(07375)
Beckman Paragon SPE Electrophoresis Kit(07369)
Beckman Paragon SPE-II Electrophoresis Kit(07368)
Helena Lab. Titan Gel Multi-Slot SP Electrophoresis System(25063)
Helena Laboratories REP SPE(25117)
Helena Laboratories REP SPE Hi Res-15 Procedure(25068)
Helena Laboratories REP SPE Plus(25066)
Helena Laboratories REP SPE Plus (Ponceau S)(25069)
Helena Laboratories REP SPE Template (Ponceau S) Proced.(25064)
Helena Laboratories REP SPE Template Procedure(25067)
Helena Laboratories Super Z Serum Protein Kit(25006)
Helena Laboratories Titan Gel High Resolution Protein Kit(25007)
Helena Laboratories Titan Gel Serum Protein System(25062)

Analyte: (5504) Respiratory Syncytial Virus Antibodies

Test System, Assay, Examination

Gull Laboratories RSV Antibodies IFA Test(22091)
Virgo RSV Antibody IFA Test(67026)

Analyte: (5508) Rheumatoid Factor (RF)

Test System, Assay, Examination

ALerCHEK RF Assay(04007)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
BioWhittaker FIAX System(07328)
Diamedix RF Microassay(13245)
Hemagen RF(25013)
Sigma SIA Rheumatoid Factor(58216)

Analyte: (5512) Rickettsia Rickettsii Ab (Rocky Mt. Spotted Fever)

Test System, Assay, Examination

Hillcrest Biologicals Rickettsia IFA (IgG) Test(25045)
Hillcrest Biologicals Rickettsia IFA (IgM) Test(25046)

Analyte: (5514) Rickettsia Typhi Ab (Typhus Antibodies)

Test System, Assay, Examination

Hillcrest Biologicals Rickettsia IFA (IgG) Test(25045)
Hillcrest Biologicals Rickettsia IFA (IgM) Test(25046)

Analyte: (5510) Rubella Antibodies

Test System, Assay, Examination

Abbott Rubazyme(04065)
Abbott Rubazyme-M(04066)
Analytab ACCU-LYZA Rubella IgG ELISA Test System(04337)
Analytab ACCU-LYZA Rubella IgM ELISA Test System(04339)
Baxter Bartels PRIMA Rubella IgG EIA(07295)
Baxter Bartels PRIMA Rubella IgM EIA(07294)
BioWhittaker FIAX System(07328)
BioWhittaker RUBECAP-M(07341)
BioWhittaker RUBELISA II(07342)
BioWhittaker RUBESTAT(07343)
BioWhittaker RUBESTAT M(07344)
Diamedix Rubella IgG Microassay(13227)
Gull Laboratories Rubella IgG ELISA(22092)
Gull Laboratories Rubella IgM ELISA(22093)
Incstar Clin-ELISA Rubella IgG(28217)
Pharmacia Rubella IgG ELISA(49025)
Sanofi Pasteur Platelia Rubella IgG(58136)
Sigma SIA Rubella IgG(58101)
Sigma SIA Rubella IgM(58102)
Syva MicroTrak Rubella-G EIA(58149)
Syva MicroTrak Rubella-M EIA(58150)
Virgo Rubella Antibody IFA Test(67027)
Zeus Rubella IgG ELISA Test System(79023)
Zeus Rubella IgM ELISA Test System(79036)

Analyte: (5511) Rubeola Antibodies [Measles]

Test System, Assay, Examination

Baxter Bartels PRIMA Rubeola IgG EIA(07291)
Baxter Bartels PRIMA Rubeola IgM EIA(07290)
Bio-Medical Virotech ELISA Antibody Test(07313)
BioWhittaker FIAX System(07328)
BioWhittaker MEASELESTAT(07334)
BioWhittaker MEASELESTAT M(07335)
BioWhittaker MEASELISA II(07336)
Bion Measles-G Antibody Test System(07158)
Bion Measles-M Antibody Test System(07159)
Diamedix Measels IgG Microassay(13246)
Gull Laboratories Rubeola IFA Antibodies Test(22094)
Gull Laboratories Rubeola IgG ELISA(22095)
Gull Laboratories Rubeola IgM ELISA(22096)
Incstar Clin-ELISA Rubeola IgG(28218)
Pharmacia Measles IgG ELISA(49026)
Pharmacia Measles IgM ELISA(49027)
Sigma SIA Measles IgG(58176)
Sigma SIA Measles IgM(58177)
Virgo Measles Antibody IFA Test(67024)
Zeus Measles Test System(79021)

Analyte: (5803) Schistosoma Antibodies

Test System, Assay, Examination

Amico Amizyme Schistosoma species Ab Test System(04162)

Analyte: (5818) Staphylococcus Aureus Antibodies

Test System, Assay, Examination

Meridian Diagnostics Endo-Staph(40106)

Analyte: (6101) TSH Receptor Antibody

Test System, Assay, Examination

Kronus Kalibre-R TSH Receptor (TRAb) Kit(34022)

Analyte: (6128) Taenia Solium Antibodies (Cysticercosis)

Test System, Assay, Examination

LMD Laboratories Cysticercosis Microtiter ELISA (spectro)(37022)
LMD Laboratories Cysticercosis Microtiter ELISA (visual)(37049)

Analyte: (6113) Toxoplasma Gondii Antibodies

Test System, Assay, Examination

Abbott Toxo-G EIA Kit(04079)
Abbott Toxo-M EIA Kit(04080)
Amico Amizyme Toxoplasma gondii Ab Test System(04163)
Analytab ACCU-LYZA Toxo IgG ELISA Test System(04336)
Analytab ACCU-LYZA Toxo IgM ELISA Test System(04342)
Baxter Bartels PRIMA Toxoplasma IgG EIA(07292)
Baxter Bartels PRIMA Toxoplasma IgM EIA(07293)
BioWhittaker FIAX System(07328)
BioWhittaker TOXOCAP-M(07347)
BioWhittaker TOXOELISA II(07348)
BioWhittaker TOXOSTAT(07349)
BioWhittaker TOXOSTAT M(07350)
Diagnostic Technology Toxo/IgM Check(13052)
Diamedix Toxoplasma IgG Microassay(13232)
Diamedix Toxoplasma IgM Microassay(13233)
General Biometrics Toxoplasmosis IgG IFA Test(22149)
General Biometrics Toxoplasmosis IgM IFA Test(22148)
Gull Laboratories Toxo IFA Antibodies Test(22097)
Gull Laboratories Toxo IgG ELISA(22098)
Gull Laboratories Toxo IgM ELISA(22099)
Gull Laboratories Toxo IgM IFA Test(22100)
Incstar Clin-ELISA Toxoplasma gondii IgG(28215)
Incstar Clin-ELISA Toxoplasma gondii IgM(28216)
Incstar Fluoro-Kit(28042)
LMD Laboratories Toxoplasma IgG Microtiter ELISA (spectro)(37021)
LMD Laboratories Toxoplasma IgG Microtiter ELISA (visual)(37051)
Organon Teknika Toxo IFA Kit I(46035)
Pharmacia Toxoplasma gondii IgG ELISA(49028)
Sanofi Pasteur Platelia Toxo IgG(58138)
Sanofi Pasteur Platelia Toxo IgM(58139)
Sigma SIA Toxoplasma IgG(58179)
Sigma SIA Toxoplasma IgM(58198)
Syva MicroTrak Toxo-G EIA(58146)
Syva MicroTrak Toxo-M EIA(58145)
Virgo Toxoplasma gondii Antibody IFA Test(67028)
Wampole TPM-TEST(70089)
Zeus IFA Toxoplasma Test System(79011)
Zeus TOXO IgG ELISA Test System(79026)
Zeus TOXO IgM ELISA Test System(79027)

Analyte: (6114) Transferrin

Test System, Assay, Examination

Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
BioWhittaker FIAX System(07328)
Helena Laboratories Quiplate System for RID(25005)
Hycor Accuplate(25024)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kallestad Endoplate RID(34001)
Kallestad Quantiplate RID(34003)
Kent Radial Immunodiffusion Test(34010)
Reagents Applications RAICHEM SPIA Test Kit(55074)
The Binding Site Human Transferrin RID(61069)

Analyte: (6115) Treponema Pallidum Antibodies (Includes Reagin)

Test System, Assay, Examination

ADI Visuwell Reagin (spectrophotometric)(04366)
ADI Visuwell Reagin (visual)(04003)
Ames Sera-tek(04153)
Becton Dickinson BBL Reagents for Syphilis Serol. (FTA-ABS)(07250)
Becton Dickinson BBL Syphilis Serology Reagents (VDRL)(07249)
Diagnostic Chemicals Syphilis-G Test Kit(13166)
Diagnostic Chemicals Syphilis-M Test Kit(13171)
Difco Bacto FTA-ABS(13163)
Difco Bacto VDRL(13057)
Fisher Diagnostic VDRL(19007)
Gamma Biologicals VDRL(22116)
Incstar Fluoro-Kit(28042)
MarDx FTA-ABS Test System(40009)
Olympus PK7100 Automated Pretransfusion Blood Test System(46003)
Roach Laboratories FTA-ABS(55073)
Scimedx FTA-ABS Test System(58022)
Virgo FTA-ABS IFA Test(67021)
Zeus FTA-ABS Double Stain Test System(79034)
Zeus FTA-ABS Test System(79007)

Analyte: (6126) Trichinella Antibodies

Test System, Assay, Examination

LMD Laboratories Trichinella Microtiter ELISA (spectro)(37023)
LMD Laboratories Trichinella Microtiter ELISA (visual)(37050)

Analyte: (6129) Trypsin

Test System, Assay, Examination

Sorin Biomedica Trypsik(58134)

Analyte: (6704) Varicella-Zoster Virus Antibodies

Test System, Assay, Examination

BioWhittaker FIAX System(07328)
BioWhittaker VARICELISA II(07351)
BioWhittaker VARICELLA STAT(07352)
Diamedix VZV Microassay(13247)
Gull Laboratories VZV IgG IFA Test(22101)
Gull Laboratories VZV IgM IFA Test(22125)
Incstar Clin-ELISA Varicella zoster IgG(28227)
Pharmacia Varicella-Zoster Virus IgG ELISA(49030)
Pharmacia Varicella-Zoster Virus IgM ELISA(49029)
Sigma SIA VZV IgG(58199)
Virgo Varicella-zoster Antibody IFA Test(67029)
Zeus VZ IgG IFA Test System(79028)

Speciality/Subspeciality: Hematology

Analyte: (0461) Activated Clotting Time (ACT)

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures(04424)

Analyte: (0409) Activated Partial Thromboplastin Time (APTT)

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures(04424)

Analyte: (0463) Alpha-2-Antiplasmin

Test System, Assay, Examination

Diagnostica Stago STACHROM Antiplasmin(13209)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)

Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Chromostrate Alpha-2-Antiplasmin Assay(46094)

Analyte: (0483) Antiplasmin

Test System, Assay, Examination

American Bioproducts STACHROM Antiplasmin Test Kit(04428)
Ortho Koagulab CTS(46128)

Analyte: (0456) Antithrombin III (ATIII)

Test System, Assay, Examination

American Diagnostica Actichrome Antithrombin III(04358)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Behring Nor-partigen Kit(07119)
Bio/Data PAP–4C(07193)
Diagnostica Stago LIATEST AT III(13152)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Helena Laboratories Quiplate System for RID(25005)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Kent Radial Immunodiffusion Test(34010)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor COA System(37035)
LAbor CoaData 3000(37066)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Chromostrate Antithrombin III Assay(46093)
Ortho Koagulab CTS(46128)
Sigma AccuStasis 1000(58049)
Sigma AccuStasis 2000(58050)
The Binding Site Human Antithrombin III RID(61068)

Analyte: (0713) Beta-Thromboglobulin

Test System, Assay, Examination

Diagnostica Stago ASSERACHROM B-TG(13128)

Analyte: (0716) Body Fluid Microscopic Elements

Test System, Assay, Examination

All Body Fluid Elements Microscopic ID Procedures(04130)

Analyte: (1061) Cerebrospinal Fluid Microscopic Elements

Test System, Assay, Examination

All Manual Cerebrospinal Fluid Cell Count Procedures(04363)

Analyte: (1044) Coagulation Factors

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures(04424)
American Scientific Fibrometer(04145)
Becton Dickinson BBL Fibrometer(07080)
Bio/Data PAP–4C(07193)
Biopool Spectrolyse Factor VIII:C(07217)
Diagnostica Stago ST4(13218)
Diagnostica Stago Stachrom VIII:C(13146)
General Diagnostics Coag-A-Mate 2001(22138)
General Diagnostics Coag-A-Mate Dual Channel(22137)
General Diagnostics Coag-A-Mate X2(22057)
Helena Laboratories Cascade 480(25002)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 1000(28074)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor COA System(37035)
LAbor CoaData 3000(37066)
Lancer Coagulyzer Jr. III(37025)
Logos elvi 818 Digiclot(37013)
Logos elvi 819 Multi Clot(37014)
Logos elvi 820 Digiclot II(37015)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 750(40039)
Medical Laboratory MLA Electra 800(40040)
Medical Laboratory MLA Electra 800 (with data management)(40122)
Medical Laboratory MLA Electra 900(40041)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Coag-A-Mate RA4(46019)
Organon Teknika Coag-A-Mate XC(46021)
Organon Teknika Coag-A-Mate XC Plus(46022)
Organon Teknika Coag-A-Mate XM(46023)
Ortho KoaguLab M(46111)
Ortho Koagulab 16S(46074)
Ortho Koagulab 32–S(46123)
Ortho Koagulab 40–A(46076)
Ortho Koagulab 60–S(46122)
Sherwood Medical Coagulizer Jr.(58140)
Sigma AccuStasis 1000(58049)
Sigma AccuStasis 2000(58050)
TECO Coatron F2(61065)
TECO Coatron II(61047)
TECO Coatron Jr(61048)

Analyte: (1616) Eosinophils

Test System, Assay, Examination

All Manual Eosinophil Count Procedures(04353)

Analyte: (1917) Factor IX Antigen

Test System, Assay, Examination

Diagnostica Stago ASSERACHROM IX:Ag(13134)
Diagnostica Stago Assera-Plate IX:Ag(13142)

Analyte: (1915) Factor VIII Related Antigen

Test System, Assay, Examination

Helena Laboratories Factor VIII Related Antigen Rocket Sys.(25031)
International Immunoassay Labs EIA-F8 Kit(28155)

Analyte: (1920) Factor X

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (1904) Fibrin Split Products (Fibrin Degradation)

Test System, Assay, Examination

American Diagnostica Dimertest StripWell EIA Kit(04425)
Diagnostica Stago ASSERACHROM D-Di(13135)
Organon Teknika Fibrinostika FbDP Microelisa System(46112)
Sigma Fibrin/Fibrinogen Degradation Products(58222)

Analyte: (1905) Fibrinogen

Test System, Assay, Examination

Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Organon Teknika Fibriquik(46118)

Analyte: (1916) Fibrinopeptide A

Test System, Assay, Examination

Diagnostica Stago ASSERACHROM FPA(13132)

Analyte: (1921) Fibronectin

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (2515) Hemoglobin

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Data Medical Associates Hemoglobin Determination(13250)

Electronucleonics FLEXIGEM(16010)
Mallinckrodt Serometer 370(40126)
Pointe Scientific 180 Chemistry Analyzer(49064)
Seradyn Hemoglobin Determination(58171)
Seradyn Quick-Chem II(58187)
Seragen Quick-Chem(58186)
Seragen StatEase(58185)
Sigma Diagnostics Plasma Hemoglobin(58226)
Sigma Diagnostics Test Kit(58051)
Sigma Diagnostics Total Hemoglobin(58225)
SmithKline ESKALAB-CCS(58195)
Stanbio Premiere(58210)
Sterling Diagnostics Analyzer 2000(58229)

Analyte: (2546) Hemoglobin A1

Test System, Assay, Examination

Helena Laboratories Heme Spec Plus(25116)

Analyte: (2535) Hemoglobin A2

Test System, Assay, Examination

Helena Laboratories Beta-Thal HbA2 Quik Column(25057)
Helena Laboratories Heme Spec Plus(25116)
Helena Laboratories Sickle-Thal Quik Column(25058)
Isolab Quik-Sep Hemoglobin A2 Test System(28180)

Analyte: (2537) Hemoglobin Barts

Test System, Assay, Examination

Isolab Quik-Sep Alpha-Thal Screen(28101)

Analyte: (2516) Hemoglobin F

Test System, Assay, Examination

Helena Laboratories Quiplate System for RID(25005)
Isolab Quik-Sep Hemoglobin F Assay(28102)
Isolab Quik-Sep Sickle-Cell F Test(28103)

Analyte: (2544) Hemoglobin Fractions

Test System, Assay, Examination

Beckman Paragon Acid Hemoglobin (Acid Hb) Electropho. Kit(07372)
Beckman Paragon Hemoglobin (Hb) Electrophoresis Kit(07373)
Helena Laboratories Hemoglobin Electrophoresis(25075)
Helena Laboratories REP Hemoglobin-30 IEF Procedure(25074)
Helena Laboratories Titan III Hgb ID Electrophoresis(25076)
Helena Laboratories Titan IV Citrate Hgb Electrophoresis(25073)
Isolab Resolve-Hb(28195)

Analyte: (2536) Hemoglobin S

Test System, Assay, Examination

Helena Laboratories Heme Spec Plus(25116)
Isolab HemoCard Hb A and S(28111)
Isolab HemoCard Hemoglobin S Assay(28100)

Analyte: (2518) Heparin

Test System, Assay, Examination

Bio/Data PAP–4C(07193)
Diagnostica Stago ST4(13218)
Diagnostica Stago Stachrom Heparin(13144)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
LAbor COA System(37035)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Chromostrate Heparin Anti-Xa Assay(46091)

Analyte: (3716) Leukocyte Aggregation

Test System, Assay, Examination

Bio/Data PAP–4(07194)
Bio/Data PAP–4C(07193)

Analyte: (4021) Malarial Parasite

Test System, Assay, Examination

Becton Dickinson QBC Blood Parasite Detection Method(07214)

Analyte: (4940) Plasmin

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (4907) Plasminogen

Test System, Assay, Examination

American Diagnostica Actichrome PLG(04357)
Bio/Data PAP–4C(07193)
Diagnostica Stago Stachrom PLG(13143)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Helena Laboratories Quiplate System for RID(25005)
Instrumentation Laboratory IL ACL 200(28075)
Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
Instrumentation Laboratory IL ACL 810(28080)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 900 C(40042)
Organon Teknika Chromostrate Plasminogen Assay(46092)
Ortho Koagulab CTS(46128)

Analyte: (4936) Plasminogen Activator Inhibitor (PAI)

Test System, Assay, Examination

American Diagnostica Spectrolyse/Fibrin(04361)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)

Analyte: (4928) Platelet Aggregation

Test System, Assay, Examination

Bio/Data PAP–4(07194)
Bio/Data PAP–4C(07193)
Chrono-log Aggregometer 400VS(10147)
Chrono-log Aggregometer 430VS(10149)
Chrono-log Aggregometer 440VS(10150)
Chrono-log Aggregometer 460VS(10148)
Chrono-log Aggregometer 470VS(10151)
Chrono-log Aggregometer 500Ca(10152)
Chrono-log Aggregometer 500VS(10154)
Chrono-log Aggregometer 530VS(10155)
Chrono-log Aggregometer 540VS(10156)
Chrono-log Aggregometer 560Ca(10153)
Chrono-log Aggregometer 560VS(10157)
Chrono-log Aggregometer 570VS(10158)
Chrono-log P.I.C.A.(10144)
Helena Laboratories PACKS–4(25029)
Logos elvi 840 Aggregometer(37012)
Sienco Dual Sample Aggregation Meter (DP–247)(58119)

Analyte: (4908) Platelet Count

Test System, Assay, Examination

All Manual Platelet Count Test Systems and Procedures(04124)
Coulter Thrombocounter-C(10182)

Analyte: (4931) Platelet Factor IV

Test System, Assay, Examination

Diagnostica Stago ASSERACHROM PF4(13130)

Analyte: (4935) Prekallikrein

Test System, Assay, Examination

Helena Laboratories Chromogenic Systems Analyzer 1200(25111)

Analyte: (4945) Protamine Rate Titration (PRT)

Test System, Assay, Examination

International Technidyne Hemochron 400(28094)
International Technidyne Hemochron 401(28095)
International Technidyne Hemochron 800(28096)
International Technidyne Hemochron 801(28097)

Analyte: (4929) Protein C

Test System, Assay, Examination

American Diagnostica Rellplate C(04359)
Bio/Data PAP–4C(07193)
Biopool Protein C EID Kit(07219)
Biopool Spectrolyse Protein C(07218)
Diagnostica Stago ASSERACHROM Protein C(13129)
Diagnostica Stago Assera-Plate Protein C(13141)
Diagnostica Stago ST4(13218)
Diagnostica Stago Stachrom Protein C(13145)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)
Instrumentation Laboratory IL ACL 100(28073)
Instrumentation Laboratory IL ACL 1000(28074)
Instrumentation Laboratory IL ACL 200(28075)

Instrumentation Laboratory IL ACL 2000(28076)
Instrumentation Laboratory IL ACL 300(28077)
Instrumentation Laboratory IL ACL 300 Plus(28197)
Instrumentation Laboratory IL ACL 3000(28078)
Instrumentation Laboratory IL ACL 3000 Plus(28079)
LAbor COA Data 2000(37034)
LAbor COA Screener(37033)
LAbor COA System(37035)
LAbor CoaData 3000(37066)
Medical Laboratory MLA Electra 1000 C(40037)
Medical Laboratory MLA Electra 900(40041)
Medical Laboratory MLA Electra 900 C(40042)
Ortho Koagulab 32–S(46123)
Ortho Koagulab CTS(46128)
Ramco Spectro C(55068)
Sigma AccuStasis 2000(58050)

Analyte: (4930) Protein S

Test System, Assay, Examination

American Diagnostica Rellplate S(04360)
Biopool Protein S EID Kit(07220)
Diagnostica Stago ASSERACHROM Protein S(13131)
Diagnostica Stago Assera-Plate Protein S(13139)
Diagnostica Stago LIATEST Protein S(13150)
Diagnostica Stago ST4(13218)
Helena Laboratories Protein S Antigen Rocket EID(25048)
LAbor COA Screener(37033)

Analyte: (4933) Prothrombin Fragment 1.2 (F1.2)

Test System, Assay, Examination

Organon Teknika Thrombonostika(46103)

Analyte: (4922) Prothrombin Time (PT)

Test System, Assay, Examination

All Manual Tilt-Tube Coagulation Procedures(04424)

Analyte: (5502) Red Blood Cell Count (Erythrocyte Count) (RBC)

Test System, Assay, Examination

All Manual Red Blood Cell Count Procedures(04301)
Coulter A(10103)
Coulter B(10185)
Coulter Counter Model A(10180)
Coulter D(10186)
Coulter D2(10104)
Coulter F(10108)
Coulter FN(10109)

Analyte: (5822) Semen

Test System, Assay, Examination

All Manual Semen Analyses (count and morphology)(04355)
Hamilton-Thorn HTM-IVOS (morphology)(25115)
Sperm Penetration Assay(28275)

Analyte: (6105) Thrombin Time

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (6130) Tissue Plasminogen Activator (t-PA)

Test System, Assay, Examination

American Diagnostica Spectrolyse/ Fibrin(04361)
Helena Laboratories Chromogenic Systems Analyzer 1200(25111)

Analyte: (7002) White Blood Cell Count (Leukocyte Count) (WBC)

Test System, Assay, Examination

All Manual White Blood Cell Count Procedures(04302)
Coulter A(10103)
Coulter B(10185)
Coulter Counter Model A(10180)
Coulter D(10186)
Coulter D2(10104)
Coulter F(10108)
Coulter FN(10109)

Analyte: (7001) White Blood Cell Differential [WBC Diff]

Test System, Assay, Examination

All Manual WBC Diff Procedures-with interpret. atyp. cells(04127)

Analyte: (7003) Whole Blood Clotting Time

Test System, Assay, Examination

Haemoscope Thromboelastograph (calculated result)(25129)
Logos elvi 816 Bi Clot (calculated result)(37058)
Sienco SONOCLOT Coagulation Analyzer (calculated result)(58253)
Sienco SONOCLOT II Surgical Analyzer (calculated result)(58254)

Analyte: (6708) von Willebrand Factor

Test System, Assay, Examination

Bio/Data PAP–4(07194)
Bio/Data PAP–4C(07193)
Biopool vWF EID Kit(07221)
Diagnostica Stago ASSERACHROM vWF(13133)
Diagnostica Stago Assera-Plate vWF(13140)
General Diagnostics von Willebrand Factor Assay(22109)
Ramco Spectro vWF(55067)

Analyte: (6711) von Willebrand Factor (Ristocetin Cofactor)

Test System, Assay, Examination

Helena Laboratories PACKS–4(25029)

Analyte: (6709) von Willebrand Multimers

Test System, Assay, Examination

Ramco vWF Multimer Immunoblot(55072)

SPECIALITY/SUBSPECIALITY: Immunohematology

Analyte: (0401) ABH Secretor Status—Saliva

Test System, Assay, Examination

Amtec Anti-H Lectin—Saliva, qualitative(04174)
BCA Anti-H Lectin—Saliva, qualitative(07008)
BCA Anti-H Lectin—Saliva, quantitative(07009)
Dade Lectin-H—Saliva, qualitative(13013)
Dade Lectin-H—Saliva, quantitative(13014)
Gamma Anti-H Lectin—Saliva, qualitative(22007)
Gamma Anti-H Lectin—Saliva, quantitative(22008)

Analyte: (0402) ABO group—RBC

Test System, Assay, Examination

All Immunohem. Absorption/Elution Procedures-Ag confirma.(04115)
Dynatech MicroBank System(13113)
Gamma STS–M Automated Blood Grouping Instrument(22029)
IBG Inverness Blood Grouping System(28087)
Olympus PK7100 Automated Pretransfusion Blood Test System(46003)

Analyte: (0403) ABO Group Confirmation—Serum, Plasma

Test System, Assay, Examination

Dynatech MicroBank System(13113)
Gamma STS–M Automated Blood Grouping Instrument(22029)
IBG Inverness Blood Grouping System(28087)
Olympus PK7100 Automated Pretransfusion Blood Test System(46003)

Analyte: (1301) D(Rho) Type

Test System, Assay, Examination

All Immunohem. Absorption/Elution Procedures-Ag confirma.(04115)
Dynatech MicroBank System(13113)
Gamma STS–M Automated Blood Grouping Instrument(22029)
IBG Inverness Blood Grouping System(28087)
Olympus PK7100 Automated retransfusion Blood Test System(46003)

Analyte: (1306) Donor/Recipient Compatibility

Test System, Assay, Examination

All Immunohem. Donor/Recipient Compatibility Procedures(04112)

Analyte: (1308) Du (Weak D RBC antigen)

Test System, Assay, Examination

Gamma STS–M Automated Blood Grouping Instrument(22029)
Olympus PK7100 Automated Pretransfusion Blood Test System(46003)

Analyte: (1903) Fetal RBCs—Maternal Blood (fetal-maternal bleed)

Test System, Assay, Examination

Du procedures with microscopic exam for mixed field agglut.(13081)
Gamma Fetal Bleed Screening Test(22016)
Indicator Cell Rosette Test—screen for fetal RBC's(28051)
Modified Kleihauer-Betke Acid Elution Stain Procedure(40103)
Ortho FETALSCREEN(46068)
Sigma Diagnostics Fetal Hemoglobin Kit(58126)
Simmler, Inc. Fetal Cell Stain Kit(58127)
Sure-Tech Fetal Hemoglobin Kit(58261)

Analyte: (2816) Isohemagglutinins

Test System, Assay, Examination

All Isohemaggit. Tube Titrations, Serum Pretreatment-Thiol(04113)
Dade Neutr-AB Reagent—screen(13017)
Dade Neutr-AB Reagent—titration(13018)

Analyte: (4927) Platelet Antibody—detection

Test System, Assay, Examination

Immucor Capture-P(28128)
Immucor Capture-P Ready-Screen(28088)
Immucor MCP (Modified Capture-P)(28089)

Analyte: (3501) RBC Antigen Type Other Than A or B

Test System, Assay, Examination

All Immunohem. Absorption/Elution Procedures-Ag confirma.(04115)
Gamma Arachis hypogea Lectin(22010)
Gamma Lectin System(22019)

Analyte: (6412) Unexpected RBC Antibody—Detection-Serum, Plasma

Test System, Assay, Examination

All RBC antibody detection 1 Stage Enzyme Procedures(04131)
All RBC antibody detection 2 Stage Enzyme Procedures(04132)
Amtec Ficin Treated Screening Cells 1,2,3(04185)
Dade Rap-I.D. Polycation Potentiator System(13019)
Gamma Ficin-Duet System(22017)
Gamma Ficin-Pool(22018)
Immucor Capture-R Ready-Screen(28019)
Immucor Panoscreen I and II, Ficin-Treated(28022)

Analyte: (6402) Unexpected RBC Antibody—Identification

Test System, Assay, Examination

All Immunohem. Unexpected RBC Antibody ID Procedures(04114)

SPECIALITY/SUBSPECIALTY

Mycobacteriology

Analyte: (4024) Mycobacteria

Test System, Assay, Examination

All Acid-Fast Concentrated Smear Test Systems & Procedures(04101)
All Manual Antimycobacterial Susceptibility Procedures(04103)
All Manual Nucleic Acid Analysis T.Sys. & Proced.(isotopic)(04123)
All Organism Identification from Culture(04371)
Becton Dickinson BACTEC TB System (NAP Differentiat. Test)(07084)
Becton Dickinson BACTEC TB System (Susceptibility Test)(07222)
Gen-Probe AccuProbe—M. avium complex (including culture)(22128)
Gen-Probe AccuProbe—M. avium specific (including culture)(22129)
Gen-Probe AccuProbe—M. gordonae (including culture)(22130)
Gen-Probe AccuProbe—M. intracellulare specific (inc cult)(22131)
Gen-Probe AccuProbe—M. kansasii (including culture)(22127)
Gen-Probe AccuProbe—M. tuberculosis complex (inc culture)(22132)
Syngene Snap Culture ID Diagnostic Kit/M. avium complex(58069)
Syngene Snap Culture ID Diagnostic Kit/M. tuberculosis cplx(58152)

SPECIALTY/SUBSPECIALTY

Mycology

Analyte: (0707) Blastomyces Dermatitidis

Test System, Assay, Examination:

Gen-Probe AccuProbe—B. dermatitidis (including culture)(22133)
Immuno-Mycologics Exo-Antigen Test Kit (including culture)(28198)

Analyte: (1025) Coccidioides Immitis

Test System, Assay, Examination

Gen-Probe AccuProbe—C. immitis (including culture)(22134)
Immuno-Mycologics Exo-Antigen Test Kit (including culture)(28198)

Analyte: (1302) Dermatophytes

Test System, Assay, Examination

Orion Diagnostica Oricult-DTM (microculture method)(46096)

Analyte: (1909) Fungi

Test System, Assay, Examination

All Fungal Identification from Culture(04322)

Analyte: (2532) Histoplasma Capsulatum

Test System, Assay, Examination

Gen-Probe AccuProbe - H. capsulatum (including culture)(22135)
Immuno-Mycologics Exo-Antigen Test Kit (including culture)(28198)

Analyte: (7601) Yeast

Test System, Assay, Examination

Abbott Quantum II System (including culture)(04059)
All India Ink Preparations(04266)
Analytab API 20C Yeast Identification Kit (including cult.)(04195)
Analytab Yeast Ident (including culture)(04219)
Baxter AutoSCAN Walk/Away (including culture)(07023)
Baxter MicroScan AutoSCAN 4 (including culture)(07042)
Carr-Scarborough C. albicans Disc Screening Kit(inc. cult.)(10025)
Medical Wire Equip. MicroRing YT (including culture)(40054)
Vitek Systems VITEK (including culture)(67035)

Analyte: (7603) Yeast, Candida Only

Test System, Assay, Examination

Immuno-Mycologics LA-Candida (direct antigen)(28104)
Ramco CAND-TEC Candida Detection System (direct antigen)(55070)

Analyte: (7604) Yeast, Cryptococcus Only

Test System, Assay, Examination

Baxter MYCO-Immune Cryptococal LA (direct antigen)(07040)
Gen-Probe AccuProbe - Cryptococcus (including culture)(22136)
Immuno-Mycologics Latex-Crypto (direct antigen)(28106)
Meridian Cryptococcal LA System (direct antigen)(40057)
Meridian Premier Cryptococcal Ag (dir Ag/spectrophoto)(40072)
Meridian Premier Cryptococcal Ag (dir Ag/visual)(40071)
Wampole Crypto-LA Test (direct antigen)(70076)

SPECIALTY/SUBSPECIALTY:

Parasitology

Analyte: (0710) Blood, Tissue & Intestinal Parasites

Test System, Assay, Examination

All Permanent Stain Preparations(04264)

Analyte: (2813) Intestinal Parasites

Test System, Assay, Examination

Alexon ProSpecT Cryptosporidium Microtiter (dir Ag/spectro)(04326)
Alexon ProSpecT Cryptosporidium Microtiter (dir Ag/visual)(04325)
Alexon ProSpecT Giardia Microtiter (dir Ag/spectrophoto)(04257)
Alexon ProSpecT Giardia Microtiter (dir antigen/visual)(04099)
Alexon ProSpecT/Giardia (tube) (dir Ag/visual)(04338)
All Concentrated Preparations(04263)
All Wet Mount Preparations - Identification of Parasites(04262)
Antibodies Inc. Giard EIA (direct antigen/visual)(04224)
LMD Laboratories Cryptosporidium Ag Detect. Microtiter(vis)(37018)
LMD Laboratories G. lamblia Ag Detect. Microtiter (spectro)(37032)
LMD Laboratories G. lamblia Ag Detect. Microtiter (visual)(37019)
Meridian Diagnostics MERIFLUOR Cryptosporidium(40100)
Meridian Diagnostics MERIFLUOR Cryptosporidium/Giardia(40095)
Meridian Diagnostics MERIFLUOR Giardia(40099)
Seradyn Color Vue - Cryptosporidium (dir Ag/spectrophoto)(58184)
Seradyn Color Vue - Cryptosporidium (direct Ag/visual)(58101)
Seradyn Color Vue - Giardia (dir Ag/spectrophoto)(58183)
Seradyn Color Vue - Giardia (direct Ag/visual)(58100)
Trend Scientific Giardia lamblia Direct Detection System(61019)

Analyte: (4021) Malarial Parasite

Test System, Assay, Examination

All Permanent Stain Preparations(04264)

Analyte: (4926) Pneumocystis

Test System, Assay, Examination

Genetic Systems Pneumocystis carinii IFA Test Kit(22066)
Meridian Diagnostics MERIFLUOR Pneumocystis(40097)

Analyte: (6116) Trichomonas

Test System, Assay, Examination

Scimedx Trichomonas Test System(58092)

Specialty/Subspeciality

Toxicology/TDM

Analyte: (0406) Acetaminophen

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Chemicals Ltd. Assay Kit(13210)
GDS Diagnostics Enzymatic Test Kit(22140)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Stanbio Test Kit(58157)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (0476) Acetylcholine/Choline

Test System, Assay, Examination

Bioanalytical Systems BAS 200A(07300)
Bioanalytical Systems BAS 480(07301)
Bioanalytical Systems BAS 481(07302)
Bioanalytical Systems BAS 482(07307)

Analyte: (0425) Amikacin

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Diagnostic Products Corp. Coat-A-Count(13030)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (0428) Amphetamines

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Finnigan MAT Witness System(19013)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Roche Abuscreen RIA(55098)
Sigma SIA Methamphetamine/Amphetamine(58103)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (0701) Barbiturates

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Coat-A-Count(13030)
Finnigan MAT Witness System(19013)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Roche Abuscreen RIA(55098)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (0702) Benzodiazepines

Test System, Assay, Examination

Ames OPTIMATE(04275)
Bio-Rad HPLC(07279)
Diagnostic Products Corp. Coat-A-Count IRMA(13109)
Diagnostic Products Corp. Double Antibody(13031)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Roche Abuscreen RIA(55098)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (1009) Cannabinoids (THC)

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Double Antibody(13031)
Diagnostic Products Corp. Milenia(13111)
Finnigan MAT Witness System(19013)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Roche Abuscreen RIA(55098)
Sigma SIA THC(58104)
Syva Emit st Drug Detection System(58188)
TOXI-LAB Cannabinoid (THC) Screen(61059)
TOXI-LAB Cannabinoid (THC) Screen THC-PLUS(61060)
TOXI-LAB THC II(61061)
TOXI-LAB THC II-PLUS(61062)

Analyte: (1010) Carbamazepine

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (1011) Carbamazepine, Free

Test System, Assay, Examination

Syva Emit Test Kit(58082)

Analyte: (1063) Chloramphenicol

Test System, Assay, Examination

Syva Emit Test Kit(58082)

Analyte: (1023) Cocaine Metabolites

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Serex CoMA Cocaine Metabolite Assay(58182)
Sigma SIA Cocaine Metabolites(58105)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (1037) Cyclosporine

Test System, Assay, Examination

Bio-Rad HPLC(07279)
Incstar CYCLO-Trac SP(28199)

Analyte: (1303) Digitoxin

Test System, Assay, Examination

Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Immunotech ENDAB EIA Kit(28172)

Analyte: (1304) Digoxin

Test System, Assay, Examination

Abbott RIA Bead(04061)
Amersham Amerlite(04148)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Bio-Rad Quantimune(07141)
Ciba Corning Magic (MGC)(10051)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Immunotech ENDAB EIA Kit(28172)
Immunotech EZ-BEAD EIA Kit(28173)
Kallestad Quanticoat(34031)
Micromedic Systems CONCEPT 4(40085)
Micromedic Systems Concept 4 Plus(40111)
Organon NML Digi-Tab RIA(46100)
Pointe Scientific 180 Chemistry Analyzer(49064)
Sanofi/Kallestad Quanticoat(58010)
Syva Emit Test Kit(58082)
Ventrex Coated Tube (RIA)(67011)

Analyte: (1305) Disopyramide

Test System, Assay, Examination

Ames OPTIMATE(04275)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (1307) Drugs of Abuse

Test System, Assay, Examination

Bio-Rad REMEDi Drug Profiling System(07280)
Bioanalytical Systems BAS 200A(07300)
Bioanalytical Systems BAS 480(07301)
Bioanalytical Systems BAS 481(07302)
Bioanalytical Systems BAS 482(07307)
TOXI-LAB A Drug Detection System(61055)
TOXI-LAB B Drug Detection System(61057)
TOXI-LAB Drug Detection System A-PLUS(61056)
TOXI-LAB Drug Detection System B-PLUS(61058)
TOXI-LAB Special Procedure(61053)
TOXI-LAB Validation Procedure(61054)

Analyte: (1608) Ethanol (Alcohol)

Test System, Assay, Examination

Abbott Bichromatic ABA 200(04036)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Diagnostic Chemicals Ltd. Assay Kit(13210)
Electronucleonics FLEXIGEM(16010)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Reagents Applications RAICHEM Test Kit(55075)
Sigma Diagnostics Test Kit(58051)
Syva Emit st Drug Detection System(58188)

Analyte: (1609) Ethosuximide

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (1615) Ethylene Glycol

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)

Analyte: (1913) Fentanyl

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)

Analyte: (2202) Gentamicin

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (3401) Kanamycin

Test System, Assay, Examination

Ames OPTIMATE(04275)

Analyte: (3710) Lidocaine

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (3715) Lysergic Acid Diethylamide [LSD]

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)
Roche Abuscreen RIA(55098)

Analyte: (4025) Metanephrines, Urine

Test System, Assay, Examination

Bio-Rad HPLC(07279)

Analyte: (4003) Methadone

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Coat-A-Count(13030)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (4004) Methamphetamines

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Finnigan MAT Witness System(19013)
Roche Abuscreen RIA(55098)
Sigma SIA Methamphetamine/Amphetamine(58103)

Analyte: (4005) Methaqualone

Test System, Assay, Examination

Ames OPTIMATE(04275)
Roche Abuscreen RIA(55098)
Syva Emit st Drug Detection System(58188)

Analyte: (4006) Methotrexate

Test System, Assay, Examination

Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (4020) Morphine

Test System, Assay, Examination

Diagnostic Products Corp. Coat-A-Count(13030)
Roche Abuscreen RIA(55098)

Analyte: (4301) N-Acetylprocainamide (NAPA)

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (4313) Netilmycin

Test System, Assay, Examination

Ames OPTIMATE(04275)

Analyte: (4601) Opiates

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Finnigan MAT Witness System(19013)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sigma SIA Opiate(58106)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)
TOXI-LAB Opiate Procedure(61063)

Analyte: (4901) Phencyclidine (PCP)

Test System, Assay, Examination

Ames OPTIMATE(04275)
Diagnostic Products Corp. Coat-A-Count(13030)
Diagnostic Products Corp. Milenia(13111)
Finnigan MAT Witness System(19013)
Immunotech Microzyme EIA (spectrophotometric)(28175)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Roche Abuscreen RIA(55098)
STC Diagnostics PCP EIA Plate Kit(58259)
Sigma SIA Phencyclidine(58107)
Syva Emit st Drug Detection System(58188)
Syva Qstat/Qst System(58190)

Analyte: (4902) Phenobarbital

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Clinical Assays GammaCoat(10060)
Immunotech ENDAB EIA Kit(28172)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (4903) Phenytoin

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Clinical Assays GammaCoat(10060)
Immunotech EZ-BEAD EIA Kit(28173)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (4904) Phenytoin, Free

Test System, Assay, Examination

Syva Emit Test Kit(58082)

Analyte: (4912) Primidone

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)
Syva Qstat/Qst System(58190)

Analyte: (4913) Procainamide

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (4917) Propoxyphene

Test System, Assay, Examination

Ames OPTIMATE(04275)

Analyte: (5202) Quinidine

Test System, Assay, Examination:

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (5801) Salicylates

Test System, Assay, Examination

Abbott Bichromatic ABA 100(04035)
Abbott Bichromatic ABA 200(04036)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Diagnostic Chemicals Ltd. Assay Kit(13210)
GDS Diagnostics Enzymatic Test Kit(22140)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Sherwood Medical Rapid Stat Diagnostic Kit(58165)
Sigma Diagnostics Test Kit(58051)
Stanbio Test Kit(58157)

Analyte: (5824) Sisomicin

Test System, Assay, Examination

Ames OPTIMATE(04275)

Analyte: (6104) Theophylline

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Bio-Chem Laboratory Systems ATAC 2000/2100(07188)
Clinical Assays GammaDab(10061)
Diagnostic Products Corp. Coat-A-Count(13030)
GDS Diagnostics Enzymatic Test Kit(22140)
Immunotech EZ-BEAD EIA Kit(28173)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Pointe Scientific 180 Chemistry Analyzer(49064)
Stanbio Premiere(58210)
Syva Emit Test Kit(58082)

Analyte: (6112) Tobramycin

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Beckman Auto ICS(07383)
Beckman ICS(07381)
Beckman ICS II(07382)
Clinical Assays GammaCoat(10060)
Diagnostic Products Corp. Coat-A-Count(13030)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (6117) Tricyclic Antidepressants

Test System, Assay, Examination

Ames OPTIMATE(04275)
Bio-Rad HPLC(07279)
Syva Emit st Drug Detection System(58188)

Analyte: (6701) Valproic Acid

Test System, Assay, Examination

Ames OPTIMATE(04275)
Ames TDA(04156)
Instrumentation Laboratory Multistat III(28183)
Instrumentation Laboratory Multistat III Plus(28184)
Syva Emit Test Kit(58082)

Analyte: (6710) Vanillylmandelic Acid (VMA)

Test System, Assay, Examination

Bio-Rad HPLC(07279)

SPECIALITY/SUBSPECIALITY: Virology

Analyte: (0410) Adenovirus

Test System, Assay, Examination

Analytab API Adenovirus EIA (including cell culture/visual)(04208)
Analytab API Adenovirus Test Kit (IFA) (inc. cell culture)(04210)
Analytab API Adenovirus Test Kit(inc. cell culture/spectro)(04352)
Analytab API Adenovirus Test Kit-EIA (dir Ag/spectrophoto)(04255)
Analytab API Adenovirus Test Kit-EIA (dir Ag/visual)(04209)
Analytab API Adenovirus Type 40/41 EIA (dir Ag/spectropho)(04212)
Analytab API Adenovirus Type 40/41 EIA (dir Ag/visual)(04211)
Cambridge Biotech Adenoclone (IFA) (including cell culture)(10005)
Cambridge Biotech Adenoclone-EIA (direct Ag/spectrophoto)(10136)
Cambridge Biotech Adenoclone-EIA (direct antigen/visual)(10004)
Cambridge Biotech Adenoclone-EIA (inc. cell cult./spectro)(10178)
Cambridge Biotech Adenoclone-EIA (inc. cell culture/visual)(10003)
Cambridge Biotech Adenoclone-type 40/41 (dir Ag/spectropho)(10138)
Cambridge Biotech Adenoclone-type 40/41 (dir.Ag/visual)(10006)
Gull Laboratories Adenovirus Test (including cell culture)(22104)

Analyte: (1038) Cytomegalovirus

Test System, Assay, Examination

Baxter Bartels CMV Immed. Early Ag IFA (inc. cell culture)(07025)
Baxter Bartels Direct CMV Kit (direct antigen)(07355)
Baxter Bartels Direct CMV Kit (including cell culture)(07357)
Gull Laboratories CMV-EA Test (including cell culture)(22105)
Incstar CMV-vue(28200)
Ortho CMV Identification Reagent (including cell culture)(46051)
Syva MicroTrak CMV Culture ID Kit (including cell culture)(58083)

Analyte: (2529) Herpes Simplex

Test System, Assay, Examination

Baxter Bartels HSV FA Monoclonal (including cell culture)(07031)
Baxter Bartels HSV FA-ID & Diff. HSV I/II(inc cell culture)(07032)
Baxter Bartels HSV Immunoperoxidase Test (inc cell culture)(07198)
Diagnostic Products Corp. PDx Herpes Typing (inc cell cult)(13220)
Diagnostic Products Corp. PathoDx Herpes Typing (direct Ag)(13036)
Du Pont HERPCHEK HSV Antigen Test (dir Ag/spectrophoto)(13124)
Fairleigh Dickinson ELISA for HSV (dir Ag/spectrophoto)(19010)
Fairleigh Dickinson ELISA for HSV (dir Ag/visual)(19001)
Fairleigh Dickinson ELISA for HSV (inc. cell cult./spectro)(19012)
Fairleigh Dickinson ELISA for HSV (inc. cell culture/visual)(19009)
Kodak SureCell (including cell culture)(34019)
Ortho Cultureset HSV Isolation and ID System (dir antigen)(46056)
Ortho HSV 1 & 2 Dichromatic Typing (including cell culture)(46072)
Ortho HSV Antigen ELISA Test (dir Ag/spectrophotometric)(46104)
Ortho HSV Antigen ELISA Test (incl. cell culture/spectro)(46105)
Sanofi/Kallestad Pathfinder H. simplex 1&2 (direct antigen)(58004)
Syva MicroTrak HSV Culture Ident. Test (incl cell culture)(58095)
Syva MicroTrak HSV–1/2 Culture ID/Typing (inc cell culture)(58088)
Syva MicroTrak HSV–1/HSV–2 Direct Spec ID/Typ Test (dir Ag)(58096)
Vitek Systems Vidas (including cell culture)(67040)
Wampole Virogen Herpes LA Test (including cell culture)(70017)

Analyte: (2540) Human Papillomavirus (HPV)

Test System, Assay, Examination

Digene ViraPap (direct antigen)(13121)
Digene ViraType (direct antigen)(13122)

Analyte: (5503) Respiratory Syncytial Virus

Test System, Assay, Examination

Analytab API IMAGEN RSV (direct antigen)(04216)
Baxter Bartels RSV (FA) Test Kit (direct antigen)(07034)
Baxter Bartels RSV (FA) Test Kit (including cell culture)(07358)
Gull Laboratories RSV-MAb Test (direct antigen)(22128)
Gull Laboratories RSV-MAb Test (including cell culture)(22108)
Ortho RSV (IFA) (direct antigen)(46080)
Ortho RSV Antigen ELISA Test (dir. Ag/spectrophometric)(46098)
Sanofi/Kallestad Pathfinder RSV (dir Ag/spectrophotometric)(58006)
Sanofi/Kallestad Pathfinder RSV (direct antigen/visual)(58005)
Vitek RSV Direct IF (direct antigen)(67043)
Vitek Systems Vidas (direct antigen)(67038)

Analyte: (5505) Respiratory Viruses (Influenza A&B, parainfluenza)

Test System, Assay, Examination

Analytab API IMAGEN Influenza Virus A&B (direct antigen)(04215)
Baxter Bartels Viral Respiratory Kit (direct antigen)(07035)

Baxter Bartels Viral Respiratory Kit (including cell cult)(07359)
Gull Laboratories Influenza A Test (including cell culture)(22106)
Gull Laboratories Influenza B Test (including cell culture)(22107)

Analyte: (5509) Rotavirus

Test System, Assay, Examination

Abbott Rotazyme II Diag. Kit (dir Ag/spectrophotometric)(04063)
Abbott Rotazyme II Diag. Kit (dir Ag/visual)(04064)
Analytab API Rotavirus (dir Ag/spectrophotometric)(04259)
Analytab API Rotavirus Test Kit (dir. Ag/visual)(04202)
Cambridge Biotech Rotaclone (direct Ag/spectrophotometric)(10139)
Cambridge Biotech Rotaclone (direct antigen/visual)(10011)
Isolab RotaVirus EIA (direct antigen/spectrophotometric)(28109)
Isolab RotaVirus EIA (direct antigen/visual)(28086)
Sanofi/Kallestad Pathfinder Rotavirus (dir Ag/spectrophoto)(58007)
Sanofi/Kallestad Pathfinder Rotavirus (dir Ag/visual)(58008)

Analyte: (6705) Varicella-Zoster Viruses

Test System, Assay, Examination

Ortho Varicella-Zoster Virus ID by DFA (direct antigen)(46083)

Analyte: (6706) Viruses

Test System, Assay, Examination

All Manual Nucleic Acid Analysis Test Systems & Procedures(04365)
All Viral Cell Culture Identification(04134)

List of Waived Procedures

Note: The following is a list of the waived procedures by manufacturer and product name. Although extensive efforts were made to include all products that meet the criteria for waiver, the list should not be considered inclusive.

Analyte: (9161) Erythrocyte Sedimentation Rate, Nonautomated Waived

Test System, Assay, Examination

All Nonautomated ESR Procedures(04380)

Analyte: (9191) Fecal Occult Blood

Test System, Assay, Examination

Abco Test for Fecal Occult Blood(04373)
Ames Hema-Chek(04399)
Ames Hematest(04400)
Biomerica EZ Detect Stool Blood Test(07394)
CIDA ColoCheck(10188)
Cambridge Diagnostic CAMCO GUAIAC-TABS(10189)
Cambridge Diagnostic CAMCO PAK GUAIAC(10190)
Gamma FE-Cult Plus(22152)
Helena Laboratories ColoCARE(25118)
Helena Laboratories ColoScreen(25119)
LMI Medical DigiWipe II System(37037)
LMI Medical HemaWipe System(37038)
Labsystems FECATWIN(37039)
Labsystems FECATWIN SENSATIVE(37040)
Leeco Diagnostics Preview OBT(37054)
Propper Seracult(49073)
Propper Seracult Plus(49074)
SmithKline Hemoccult(58241)
SmithKline Hemoccult SENSA(58242)

Analyte: (9221) Glucose Monitoring Devices (FDA Cleared/Home Use)

Test System, Assay, Examination

Ames Dextrostix Blood Glucose Reagent Strips(04388)
Ames Glucofilm Blood Glucose Test Strips(04389)
Ames Glucometer 3 Blood Glucose Meter(04390)
Ames Glucometer Blood Glucose Meter(04391)
Ames Glucometer GX Blood Glucose Meter(04392)
Ames Glucometer II Blood Glucose Meter(04393)
Ames Glucometer M Blood Glucose Meter(04394)
Ames Glucometer M+ Blood Glucose Meter(04395)
Ames Glucostix Blood Glucose Reagent Strips(04396)
Boehringer Mannheim Accu-Chek EASY(07424)
Boehringer Mannheim Accu-Chek II(07397)
Boehringer Mannheim Accu-Chek II Freedom(07398)
Boehringer Mannheim Accu-Chek III(07399)
Boehringer Mannheim Accu-Chek IIm(07400)
Boehringer Mannheim Accu-Chek bG Monitor(07401)
Boehringer Mannheim Chemstrip bG(07413)
Boehringer Mannheim EASY Test Strips(07425)
Boehringer Mannheim Tracer II(07416)
Boehringer Mannheim Tracer bG Monitor(07417)
Boehringer Mannheim Tracer bG Test Strips(07418)
British American SUPREME bG Monitor(07419)
British American SUPREME bG Test Strips(07420)
CaroMed GLUCOSE 3 Test Strip(10212)
CaroMed Glucose V Visual Glucose Test System(10211)
Cascade Medical CheckMate Blood Glucose Monitor(10197)
Cascade Medical CheckMate Blood Glucose Test Strips(10198)
Home Diagnostics DIASCAN Blood Glucose Reagent Strips(25120)
Home Diagnostics DIASCAN Blood Glucose Self Monitor(25121)
Home Diagnostics DIASCAN-S Blood Glucose Monitor(25122)
Home Diagnostics ULTRA Blood Glucose Monitor(25123)
Home Diagnostics ULTRA Blood Glucose Reagent Strips(25124)
Lifescan GLUCOSCAN 2000(37041)
Lifescan GLUCOSCAN 3000(37042)
Lifescan GLUCOSCAN Test Strips(37043)
Lifescan GLUCOSCAN Test Strips (modified)(37044)
Lifescan ONE TOUCH BASIC Blood Glucose Meter(37060)
Lifescan ONE TOUCH Blood Glucose Meter(37045)
Lifescan ONE TOUCH Blood Glucose Test Strips(37046)
Lifescan ONE TOUCH II Blood Glucose Meter(37047)
Lifescan ONE TOUCH II Hospital Blood Glucose Meter(37048)
MediSense Companion 2 Sensor(40136)
MediSense ExacTech Blood Glucose Test Strips(40137)
MediSense ExacTech Companion Blood Glucose Sensor(40138)
MediSense ExacTech Pen Blood Glucose Sensor(40139)
MediSense Pen 2 Sensor(40140)
MediSense Pen 2/Companion 2 Sensor Electrodes(40141)
Polymer Technology FIRST CHOICE Glucose Test Strips(49072)

Analyte: (9251) Hemoglobin by Copper Sulfate, Nonautomated

Test System, Assay, Examination

All Nonautomated Hgb by Copper Sulfate(04419)

Analyte: (2554) Hgb, Single Analyte Inst. w/ Self-Cont . . .

Test System, Assay, Examination

HemoCue Hemoglobin System(25014)

Analyte: (9461) Ovulation Test (LH) by Visual Color Comparison

Test System, Assay, Examination

Becton Dickinson QTest Stick Ovulation Test(07389)
BioGenex OvuGen Ovulation Prediction Test(07392)
Biomerica COT Color Ovulation Test(07393)
Biomerica Fortel Home Ovulation Test(07396)
Carter Products ANSWER Ovulation Test(10191)
Carter Products FIRST RESPONSE Ovulation Predictor Test(10195)
Monoclonal Antibodies OvuKIT Self-Test(40145)
Monoclonal Antibodies OvuQUICK Self-Test(40146)
NMS Pharmaceuticals COT Color Ovulation Test(43057)
NMS Pharmaceuticals Fortel Home Ovulation Test(43058)
Quidel Conceive 1–Step Ovulation Predictor(52014)
Quidel OvuKIT Self-Test for Ovulation Prediction(52015)
Quidel OvuQUICK Self-Test for Ovulation Prediction(52016)
Vanguard Biomedical HomeClinic Ovulation Prediction(67071)
Whitehall Labs CLEARPLAN Easy Ovulation Predictor(70128)

Analyte: (9581) Spun Microhematocrit

Test System, Assay, Examination

All Spun Microhematocrit Procedures(04420)

Analyte: (9641) Urine Dipstick or Tablet Analytes, Nonautomated

Test System, Assay, Examination

Abco ABCO 2 Urine Chemistry Strip(04465)
Abco ABCO 3 Urine Chemistry Strip(04466)
Abco ABCO 5 Urine Chemistry Strip(04467)
Abco ABCO 8 Urine Chemistry Strip(04464)
Abco ABCO Glu-Keto Urine Chemistry Strip(04468)
Ames ACETEST(04381)
Ames ALBUSTIX(04382)

Ames BILI-LABSTIX(04383)
Ames CLINISTIX(04384)
Ames CLINITEST(04385)
Ames COMBISTIX(04386)
Ames DIASTIX(04387)
Ames HEMA-COMBISTIX(04397)
Ames HEMASTIX(04398)
Ames ICTOTEST(04401)
Ames KETO-DIASTIX(04402)
Ames KETOSTIX(04403)
Ames LABSTIX(04404)
Ames MICRO-BUMINTEST(04405)
Ames MULTISTIX(04406)
Ames MULTISTIX 10 SG(04407)
Ames MULTISTIX 2(04408)
Ames MULTISTIX 7(04409)
Ames MULTISTIX 8 SG(04410)
Ames MULTISTIX 9(04413)
Ames MULTISTIX 9 SG(04411)
Ames MULTISTIX SG(04412)
Ames N-MULTISTIX(04414)
Ames N-MULTISTIX SG(04415)
Ames URISTIX(04416)
Ames URISTIX 4(04417)
Ames UROBILISTIX(04418)
Behring Rapignost Total Screen L(07391)
Bio-Gen 2(07456)
Bio-Gen 3(07455)
Bio-Gen 4(07454)
Bio-Gen 5(07453)
Bio-Gen 6(07452)
Bio-Gen 7(07451)
Bio-Gen 8(07450)
Bio-Glu Ketone(07457)
Bio-Glucose(07459)
Bio-Ketone(07458)
Biomerica EZ Detect Urine Blood Test(07395)
Boehringer Mannheim Chemstrip 10 UA(07402)
Boehringer Mannheim Chemstrip 10 with SG(07403)
Boehringer Mannheim Chemstrip 2 GP(07404)
Boehringer Mannheim Chemstrip 2 LN(07405)
Boehringer Mannheim Chemstrip 4 The OB(07406)
Boehringer Mannheim Chemstrip 6(07407)
Boehringer Mannheim Chemstrip 7(07408)
Boehringer Mannheim Chemstrip 8(07409)
Boehringer Mannheim Chemstrip 9(07410)
Boehringer Mannheim Chemstrip K(07411)
Boehringer Mannheim Chemstrip Micral(07412)
Boehringer Mannheim Chemstrip uG(07414)
Boehringer Mannheim Chemstrip uGK(07415)
Wako Pretest 5A(70122)
Wako Pretest 6A(70123)
Wako Pretest 8A(70124)

Analyte: (9642) Urine HCG by Visual Color Comparison Tests

Test System, Assay, Examination

Abbott TestPack PLUS hCG COMBO(04375)
Abbott TestPack PLUS hCG-URINE(04376)
Access Medical Systems ImmunoCLONE hCG Test(04377)
Advanced Care Products ADVANCE Pregnancy Test(04378)
Advanced Care Products FACT PLUS Pregnancy Test(04379)
Ampcor QuikDIP Pregnancy(04295)
Becton Dickinson Directigen 1–2–3 hCG(07269)
Becton Dickinson Precise hCG(07386)
Becton Dickinson QTest Pregnancy(07387)
Becton Dickinson QTest Pregnancy Combo(07270)
Becton Dickinson QTest Stick Pregnancy Test(07390)
Carter Products ANSWER PLUS Pregnancy Test(10192)
Carter Products ANSWER QUICK & SIMPLE Pregnancy Test(10193)
Carter Products FIRST RESPONSE 1–Step Pregnancy Test(10194)
Carter Products FIRST RESPONSE Pregnancy Test(10196)
Chembio HCG-STAT-PAK(10199)
Disease Detection International ImmunoCard hCG One Step(13249)
Disease Detection International ImmunoCard hCG Test(13211)
Hybritech Concise HCG-Urine Test(25125)
Hybritech ICON II HCG (urine)(25126)
Hybritech ICON II HCG (urine/serum)(25127)
Hybritech Tandem ICON II (urine/serum)(25019)
Hybritech Tandem ICON II HCG (urine)(25132)
Kodak SureCell hCG-Urine/Serum(34038)
Kodak SureCell hCG-Urine(34044)
Leeco Diagnostics BioSign hCG-One Step Pregnancy Test(37061)
Leeco Diagnostics ImmunoCard hCG(37053)
Leeco Diagnostics Preview Pregnancy Test(37055)
Leeco Diagnostics Preview Serum/Urine-hCG(37030)
Leeco Diagnostics Preview Urine hCG(37056)
Leeco Diagnostics Right Day Pregnancy Test(37057)
Mainline Technology Confirm hCG One-Step Pregnancy Test(40152)
Medical Technology Corp. OPTITEC HCG(40116)
Medical Technology Corp. OPTITEC UniStep HCG(40143)
Meridian Diagnostics ImmunoCard hCG(40144)
Monoclonal Antibodies RAMP Urine hCG Assay(40147)
Organon Teknika HCG-nostick(46126)
Organon Teknika Pregnospia II(46127)
Pacific Biotech Cards Early Pregnancy Test(49067)
Pacific Biotech Cards HCG-Serum/Urine(49052)
Pacific Biotech Cards HCG-URINE(49069)
Pacific Biotech Cards O.S. HCG-Urine(49066)
Pacific Biotech PERFECT ONE STEP Early Pregnancy Test(49070)
Parke-Davis E.P.T. Early Pregnancy Test(49071)
Princeton BioMeditech BioSign hCG One Step Pregnancy Test(49080)
Quidel RAMP Urine hCG Assay(52017)
Syntron Bioresearch Be Sure One Step Pregnancy Test(58243)
Syntron Bioresearch Quikpac Pregnancy Test(58218)
Syntron Bioresearch hCG QuikStrip Pregnancy Test(58244)
V-Tech Target HCG(67066)
V-Tech Target HCG ONE STEP(67069)
Vanguard Biomedical HomeClinic One-Step Pregnancy(67070)
Vanguard Biomedical HomeClinic Pregnancy Test(67072)
Vanguard Biomedical ProClinic One-Step Urine HGC Test(67073)
Vanguard Biomedical ProClinic Urine HCG Pregnancy(67074)
Wampole Clearview hCG(70125)
Wampole One-Step HCG(70074)
Whitehall Labs CLEARBLUE Easy Pregnancy Test(70126)

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July 26, 1993

Part III

Department of Justice

28 CFR Part 77

Communications With Represented Persons; Proposed Rule

DEPARTMENT OF JUSTICE

28 CFR Part 77

[AG Order No. 1765–93]

Communications With Represented Persons

AGENCY: Department of Justice.

ACTION: Proposed rule.

SUMMARY: The Department of Justice is reissuing for an additional 30-day period for comments a proposed rule governing the circumstances under which its attorneys may communicate with persons known to be represented by counsel in the course of law enforcement investigations and proceedings. The rule generally permits such communications if they are made during the course of a federal law enforcement investigation, and generally prohibits such communications (subject to exceptions) if they are made after formal criminal or civil proceedings have been instituted. The rule is essentially derived from existing attorney ethical rules promulgated by the states, from federal case law interpreting such state rules, and from federal case law interpreting the scope of the Sixth Amendment right to counsel. The purpose of the proposed rule is to impose a comprehensive, clear, and uniform set of regulations on the conduct of government attorneys before and during criminal and civil enforcement proceedings, in order to ensure appropriate conduct and to eliminate uncertainty and confusion arising from the variety of interpretations of state and local federal court rules.

The Department of Justice is reopening the comment period to ensure that all interested parties have a chance to comment. The Department of Justice is reopening the period for comments in light of the complex and important nature of the rule to the criminal and civil justice systems and the licenses and livelihoods of its attorneys.

DATES: Comments must be received on or before August 25, 1993.

ADDRESSES: Written comments should be submitted to: the Office of the Associate Attorney General, United States Department of Justice, 10th St. and Constitution Ave. NW., Washington, DC 20530.

FOR FURTHER INFORMATION CONTACT: F. Mark Terison, Senior Attorney, Legal Counsel, Executive Office for United States Attorneys, United States Department of Justice, (202) 514–5204. This is not a toll-free number

SUPPLEMENTARY INFORMATION:

I. Rulemaking History

On November 20, 1992, the Department of Justice published for comment a proposed rule to provide a comprehensive, clear, and uniform set of guidelines governing the circumstances under which Department of Justice attorneys may communicate with persons known to be represented by counsel in the course of law enforcement investigations and proceedings. See 57 FR 54737 (Nov. 20, 1992). The proposed rule was issued under the authority of the Attorney General to prescribe regulations for the government of the Department of Justice, the conduct of its employees, and the performance of its business, pursuant to 5 U.S.C. 301; to direct officers of the Department of Justice to secure evidence and conduct litigation, pursuant to 28 U.S.C. 516; to direct officers of the Department to conduct grand jury proceedings and other civil and criminal legal proceedings, pursuant to 28 U.S.C. 515(a); to supervise litigation and to direct Department officers in the discharge of their duties, pursuant to 28 U.S.C. 519; and otherwise to direct Department officers to detect and prosecute crimes, to prosecute offenses against the United States, to prosecute civil actions, suits, and proceedings in which the United States is concerned, and to perform such other functions as may be provided by law, pursuant to 28 U.S.C. 509, 510, 533, and 547.

The notice of proposed rulemaking provided a 30-day comment period and invited comments by agencies and the public. Timely comments were received from 20 sources.

The Department of Justice is reopening the comment period to ensure that all interested parties have a chance to comment. The Department of Justice is reopening the period for comments in light of the complex and important nature of the rule to the criminal and civil justice systems and the licenses and livelihoods of its attorneys. No decisions have been made on whether to adopt the rule or on the draft response to comments set out in the Supplementary Information. The draft response to comments in the Supplementary Information was prepared by attorneys within the Department of Justice who have been working on this issue. The Department of Justice welcomes comments on these draft responses in the Supplementary Information in addition to comments on the draft regulation.

The publication of this proposed rule is accompanied by the issuance of companion provisions in the United States Attorneys' Manual setting forth internal Department of Justice policies and procedures relating to the application of the rules, and by the publication of an interpretive commentary intended to assist Department of Justice attorneys in understanding and interpreting the rule. Copies of the United States Attorneys' Manual provisions and the commentary may be obtained by contacting the Office of Policy and Management Analysis, Criminal Division, room 2216, Department of Justice, 10th St. and Constitution Ave. NW., Washington, DC 20530.

II. Summary of Comments Received on Prior Issuance of the Proposed Rule

Of the 20 sets of comments timely submitted, eleven were from organizations, including bar associations, public defender offices, and a state bar disciplinary board; four were from corporations; three were from individuals, including one group of individuals; and two were from Department of Justice components. Many commented on several different sections of the rule, and most made general comments regarding its purpose and structure.

The Department of Justice has considered each comment submitted by each commenter. Those determined to be significant are discussed below, either in the "general comments" section or in the context of the particular subparts or sections to which they pertain. Many of the comments are summarized or paraphrased for purposes of discussion. Comments which could be properly addressed either in the "general comments" section or in connection with a specific section (for example, a comment regarding the relationship of the rule to state and local regulations) are largely addressed in the "general comments" section. Comments directed solely to the proposed sections of the United States Attorneys' Manual or the proposed commentary are addressed only where they have a significant bearing on the text of the rule.

The following discussion uses the terms "DR 7–104" (referring to DR 7–104(A)(1) of the American Bar Association Code of Professional Responsibility) and "Rule 4.2" (referring to its successor, Model Rule 4.2 of the ABA Model Rules of Professional Conduct) interchangeably unless the context indicates otherwise.

A. General Comments

1. The Timing of the Rule

Six organizations, one corporation, and three individuals commented that the 30-day period for public comment should be extended to permit further analysis and debate regarding the rule. Four of these comments also stated that the intervening holiday period had effectively shortened the comment period. Five of the commenters specifically stated that a reason to extend the comment period was to permit the new Attorney General to review the proposal.

The general issues underlying the adoption of the rule (for example, the issue of whether the conduct of Department of Justice attorneys should be regulated by the states, rather than the federal government) have been the subject of extensive commentary within the legal community since at least the time of the first opinion in *United States* v. *Hammad*, 846 F.2d 854 (2d Cir. 1988), and the subsequent promulgation of the so-called "Thornburgh memorandum" in June 1989. Extensive public debate regarding those general issues has taken place at a variety of bar association meetings and conferences and in a number of legal journals.

In July 1992, the Department shared copies of the draft rule and the accompanying portions of the United States Attorneys' Manual and commentary with representatives of the American Bar Association Section on Criminal Justice and the National Association of Criminal Defense Lawyers for the purpose of soliciting their comments and reactions to the proposal. That process, while informal, resulted in significant changes and clarifications to the proposal, most notably the adoption of several significant restrictions on investigatory communications prior to the attachment of the right to counsel.

The Department's position regarding the application of DR 7–104 to Department of Justice attorneys was first formalized by the Office of Legal Counsel in the Carter Administration, and has remained essentially consistent since that time despite intervening changes in government. See "Ethical Restraints of the ABA Code of Professional Responsibility on Federal Criminal Investigations," 4B Op. Off. Legal Counsel 576, 601–02 (1980) (DR 7–104 does not apply to federal criminal investigation; the only restraints on federal law enforcement activities are those established by the Constitution and existing statutes; authorized federal investigative practices are exempt from DR 7–104 by its own terms; state bar associations may not, consistent with the Supremacy Clause, impose sanctions on a government attorney who has acted pursuant to his or her federal law enforcement responsibilities).

However, the Department of Justice is reopening the comment period to ensure that all interested parties have a chance to comment. The Department of Justice received a number of comments after the deadline for submission of comments that deserve attention. The Department of Justice will treat those comments as being filed within the period for comment announced by this second notice of proposed rulemaking. The Department of Justice believes that the comments received in the past, and the responses set out below, refine the issues presented by these regulations. Accordingly, the Department of Justice requests comments on any other issues raised, or refinements of the issues set out below.

2. The Need for the Rule

Two organizations specifically commented or suggested that there was no genuine problem regarding the application to federal prosecutors of state and local ethical rules regarding communications with represented persons, and thus no need for the rule or any other corrective measures. One such organization stated that there was no need to adopt a "bright line" rule in order to clarify a prosecutor's obligations, because the existing ethical standards are "perfectly bright and clear." The other organization stated that concerns regarding lack of nationwide uniformity and an uncertain environment were caused by attempts by government attorneys to "exempt" or "excuse" themselves from local rules that are applicable to all other attorneys. Both organizations also stated that any chilling effect on government attorneys caused by uncertainty was a positive benefit, in that it would promote conservative practices on the part of government attorneys.

The Department of Justice respectfully disagrees with the foregoing comments, for the reasons set forth in the Background section of the notice of proposed rulemaking, 57 FR 54737, 54738–54741 (Nov. 20, 1992). The requirements of state and local ethical rules vary widely from jurisdiction to jurisdiction, and are frequently inconsistent or unclear. Furthermore, the fact that the controversy regarding the scope of the rule and the resulting uncertainty have had a chilling effect on government attorneys does not benefit the administration of justice if attorneys are thereby deterred from undertaking appropriate and legal communications in furtherance of legitimate criminal or civil law enforcement investigations and prosecutions.

At least three organizations and one corporation commented or suggested that Department of Justice attorneys are, or should be, subject to precisely the same ethical rules as all other attorneys, and that therefore the rule is unnecessary. One other organization commented, however, that the Department of Justice has "legitimate concerns about the application of Rule 4.2 to all aspects of law enforcement activities."

The former comments suggest a sharp departure from current federal case law. As described in more detail below, the approach adopted in these rules conforms closely to federal case law interpreting the application and scope of DR 7–104 and the Sixth Amendment That case law essentially permits communications with represented persons during the investigative stage of a proceeding, and prohibits such communications, subject to several well-defined exceptions, once formal proceedings have commenced.

The existing case law is based upon a clear recognition that Department of Justice attorneys perform distinctly different functions than attorneys engaged in the private practice of law, and that the rules governing communications with represented persons should be interpreted accordingly. A requirement that Department of Justice attorneys follow exactly identical rules as private attorneys would therefore impose substantial restrictions that do not presently exist and that do not appear to be necessary or desirable.

3. The Impact and Scope of the Rule

One organization, one corporation, and one individual commented that the regulation represents an "extreme position" or a "radical departure" from current law and past Department of Justice practices, and therefore should not be adopted. These comments seriously misunderstand the nature of the rule. The text of the rule is derived largely from existing case law and ethical rules, as set forth at great length in the draft commentary accompanying the proposed rule. Indeed, one of the principal functions of the rule is to codify existing case law and to provide for uniformity where the case law is inconsistent. Furthermore, the rule does not represent a departure from past Department of Justice practices and policies. As stated above, it has long been the policy of the Department of Justice that DR 7–104 does not prohibit legitimate law enforcement

communications with represented persons. See "Ethical Restraints of the ABA Code of Professional Responsibility on Federal Criminal Investigations," 4B Op. Off. Legal Counsel 576, 601–02 (1980). Finally, it should also be noted that the Department of Justice is simultaneously adopting restrictions and procedures, both in the rule and in the United States Attorneys' Manual, that do not presently exist or are observed only on an ad hoc basis.

4. The Relationship of the Rule to State and Local Ethical Rules

a. *The "Exemption" of Department of Justice Attorneys from State and Local Ethical Rules.* Ten organizations, two corporations, and two individuals commented that the Department of Justice should not be permitted to "exempt" its attorneys from the ethical rules applicable to all other attorneys or to "ignore" such rules. This comment was formulated in a variety of different ways, with the following as illustrative examples: the rule would allow government attorneys to "disregard" state ethical rules; the rule is an attempt by the Department to "unilaterally exempt" its attorneys from ethical rules; the rule is an attempt to "abrogate" ethical rules or to "authorize[e] violations" of such rules; the rule would "promote violations" of DR 7–104; the rule "is a directive for Department of Justice lawyers to violate the spirit and the letter of long-standing ethical norms"; the rule "ignores the minimal ethical standard" applicable in all states; the rule "conflict[s] with" state ethical rules; and the rule is an "attempt to approve a suspension" of state ethical rules.

These comments reflect an apparent misunderstanding of the structure and purpose of the rule and of the clear text of both Rule 4.2 and DR 7–104. The rule is specifically intended to fit within the structure of both Rule 4.2 and DR 7–104, as well as analogous state and local district court rules. Both Rule 4.2 and DR 7–104 provide that communications that are "authorized by law" are exempted from the general prohibition of the rule. These rules, as substantive regulations duly promulgated by the Attorney General pursuant to statutory authority, have the force and effect of law. Accordingly, and as set forth in section 77.16, communications with represented persons that are undertaken pursuant to these rules should be considered "authorized by law" within the meaning of Rule 4.2 or DR 7–104. In nearly all jurisdictions, therefore, communications pursuant to these rules will be appropriate under existing ethical rules.

It is only in jurisdictions that have repealed the "authorized by law" exception, or that have narrowed it through judicial or other interpretation, that a conflict between the provisions of these rules and the provisions of state or local federal district court ethical rules may arise. In the event of such a conflict, Department of Justice attorneys will be required to observe these rules rather than defer to state or local regulation. To state that such a requirement provides an "exemption" from state or local ethical rules is another way of stating that the ultimate power to regulate the conduct of Department of Justice attorneys should reside with the states or the federal district courts. Those arguments are addressed at length below.

One organization commented that the rule "acknowledges no restriction on communications with represented persons other than those restrictions imposed by the Constitution, statutes, executive orders, or the regulations themselves." This comment apparently misconceives the structure and purpose of the rule. First, and as described above, communications pursuant to the rule are intended to constitute communications that are "authorized by law" within the meaning of DR 7–104 and related state and local ethical rules. The rule is thus intended to harmonize, not conflict, with existing ethical rules. Second, the rules themselves contain numerous restrictions on communications with represented persons. Third, the rules will be accompanied by companion provisions in the United States Attorney's Manual setting forth additional restrictions in the form of Department of Justice policies and procedures.

b. *The "Authorized by Law" Exception to DR 7–104.* One organization and one corporation commented that these rules would not constitute "law" within the meaning of the phrase "authorized by law" in DR 7–104 and Rule 4.2. The organization stated, without further explanation, that regulations promulgated by the Department of Justice "are certainly not what the drafters of the [ABA] Rule had in mind as 'law'." The corporation stated that the "authorized by law" exception was applicable only in "limited" circumstances, such as where a statute expressly permits *ex parte* contacts. One other organization commented that the rule "would not have the force of law."

There appears to be no reason to give such a narrow interpretation to the phrase "authorized by law" in Rule 4.2 and DR 7–104. Neither Rule 4.2 nor DR 7–104 use the phrase "authorized by statute" or any other narrowly-defined term, but rather the broader term "authorized by law"; the more restrictive interpretation thus would ignore the plain language of the ABA rules. Furthermore, the courts have upheld a variety of communications in the course of legitimate law enforcement investigations as "authorized by law" under that exception, whether or not the communication was specifically authorized by statute. See *United States* v. *Schwimmer*, 882 F.2d 22, 28 (2d Cir. 1989), *cert. denied*, 493 U.S. 1071 (1990) (communication pursuant to grand jury subpoena is "authorized by law" under DR 7–104); *United States* v. *Moody*, 762 F. Supp. 1491, 1499 (N.D. Ga. 1991) (communication pursuant to court-ordered electronic surveillance is "authorized by law"); *United States* v. *Chestman*, 704 F. Supp. 451, 454 (S.D.N.Y. 1989) (pre-indictment communication is "authorized by law" in absence of egregious prosecutorial misconduct), *rev'd on other grounds*, 903 F.2d 75 (2d Cir. 1990), *aff'd in part* 947 F.2d 551 (2d Cir. 1991) (en banc); *Weinstein* v. *Rosenbloom*, 59 Ill.2d 475, 483, 322 N.E.2d 20, 25 (1974) (communication made pursuant to validly adopted rule of state agency is "authorized by law"); *compare United States* v. *Hammad*, 858 F.2d at 839 (under DR 7–104, " a prosecutor is 'authorized by law' to employ legitimate investigative techniques in conducting or supervising criminal investigations, and the use of informants to gather evidence against a suspect will frequently fall within the ambit of such authorization").

These rules, as substantive regulations duly promulgated by the Attorney General pursuant to statutory authority, have the force and effect of law. See, *e.g.*, *Chrysler Corp* v. *Brown*, 441 U.S. 281, 295 (1979). Accordingly, communications with represented persons that are undertaken pursuant to these rules should be considered "authorized by law" within the meaning of Rule 4.2 or DR 7–104.

One organization commented that the rule is an attempt by the Department of Justice " to impose a binding federal interpretation on state law" which raises important questions of "comity and federalism." This comment misconstrues the intent of the rule. The rule does attempt to create state law or bind state courts in their interpretation of state law. Rather, the rule seeks to create federal law that harmonizes with state law and therefore avoids unnecessary federal-state conflicts.

One organization commented that the Department of Justice appears to presume that any conduct by a prosecutor which is not unconstitutional is "authorized by law" and therefore ethical. It is sufficient to note that these rules do not adopt that approach, without addressing the substantive merits of that argument as an appropriate interpretation of DR 7–104.

c. *Inconsistencies in State and Local Ethical Rules.* One individual commented that the rule addresses the problem of inconsistencies among state and local ethical rules by "hold[ing] DOJ attorneys to the lowest common denominator of ethical standards in the country." The individual further stated that Department of Justice "should set the highest standard for ethical conduct" rather than "fall to the lowest."

This comment appears to equate restrictive rules on communications with represented persons with "high" ethical standards and liberal rules on such communications with "low" ethical standards. That analysis is not helpful in determining which communications should be permitted and which should not, because it would simply require that the Department follow the most restrictive rule possible, without regard to whether such a position had any substantive merit.

The Department of Justice has generally elected to follow established case law interpreting state and local ethical rules or the Sixth Amendment in the formulation of these rules. Where the case law or the ethical rules are inconsistent, the Department has sought to adopt positions that are reasonable, fair, and consistent with federal law.

5. Whether the Department of Justice Is the Appropriate Authority To Create Standards of Conduct

Three organizations commented that rules governing communications with represented persons should not be promulgated by the Department of Justice. One such organization that "the power to promulgate and enforce * * * ethical rules must reside separately and be exercised independently from the governmental authorities and lawyers to be regulated by those rules." The other organization stated that it questioned the "tacit premise" of the rule that "the Department of Justice is the proper arbiter of the ethical standards to be imposed upon its employees."

These comments misconceive the constitutional and statutory framework in which these rules have been developed. Rules governing the conduct of Department of Justice attorneys, or any other officials of the Executive Branch, may only be promulgated pursuant to constitutional or statutory authority. The Department of Justice possesses appropriate authority pursuant to 5 U.S.C. 301 and 28 U.S.C. 516, 515(a), 519, 509, 510, 533, and 547. Such authority is, however, lacking with respect to bar associations, the states, or the federal district courts, as set forth below.

a. *Bar Association Ethical Rules.* One organization commented that the appropriate way to resolve the problem is for the Department of Justice to seek a "compromise" which "respects the importance and continued vitality" of the ABA rules, apparently through modification of the ABA Model Rules of Professional Conduct. While the Department of Justice acknowledges the good faith and sincere intentions of those within the ABA who desire such a resolution, the Department must respectfully decline to adopt that approach. First, the Department does not believe that rulemaking authority in this sensitive and difficult area may be properly delegated outside the federal government. Furthermore, even a fully successful compromise would result at most in a modification of the ABA rule. There would remain the task of attempting to modify the attorney ethical rules in the fifty states, the District of Columbia, and the ninety-four federal district courts. Such an approach would have little prospect of either a rapid or uniform solution to the problem, and therefore does not appear to be a practical alternative under the circumstances.

b. *State Ethical Rules.* Two organizations specifically commented that the proper authorities for promulgating and interpreting rules of attorney discipline for Department of Justice attorneys were the states. One such organization stated that the proposed rules "constitute a usurpation of power reserved to the states, the power to regulate the practice of law." The other organization stated that attorney licensing and discipline is "a traditional state function," and that an "attempt to establish a federal exemption from these [state] standards through an agency regulation" raises important questions of "comity and federalism."

The essential thrust of these comments is that Department of Justice attorneys should be directly regulated by the states with respect to communications with represented persons. The Department of Justice fully respect the important role played by state bar disciplinary authorities in promulgating and enforcing rules of attorney ethics. Such direct regulation of federal officials by state authorities, however, poses serious concerns under the Supremacy Clause of the United States Constitution.

It is a "seminal principle of our law," deriving from the Supremacy Clause, that unless Congress expressly and affirmatively states to the contrary, "the activities of the Federal Government are free from regulation by any state," and federal officers in the performance of their duties are immune from state control. *Hancock* v. *Train*, 426 U.S. 167, 178–79 (1976). *See Bank of the United States* v. *Halstead*, 23 U.S. (10 Wheat.) 51, 63 (1825) ("An officer of the United States cannot, in the discharge of his duty, be governed and controlled by state laws, any further than such laws have been adopted and sanctioned by the legislative authority of the United States."); *North Dakota* v. *United States*, 495 U.S. 423, 434 (1990) (state law may "run afoul of the Supremacy Clause" if it purports to "regulate the Government directly"); *Tennessee* v. *Davis*, 100 U.S. 257, 263 (1880) (federal officers acting within the scope of their authority may not "be arrested and brought to trial in a State court, for an alleged offense against the law of the State"); *In re Neagle*, 135 U.S. 1 (1890); *Ohio* v. *Thomas*, 173 U.S. 276, 283–84 (1899); *Mayo* v. *United States*, 319 U.S. 441, 447–48 (1943); *Leslie Miller, Inc.* v. *Arkansas*, 352 U.S. 187, 190 (1956) (per curiam); *Public Utilities Comm'n of California* v. *United States*, 355 U.S. 534, 544 (1958); *Clifton* v. *Cox*, 549 F.2d 722, 730 (9th Cir. 1977) (where "a federal officer does no more than is necessary and proper in the performance of his duty, the state should not be allowed to review the exercise of federal authority. One of the basic tenets in the application of the Supremacy Clause is that the states have no power to determine the extent of federal authority. To rule otherwise would allow a state to punish the exercise of federal authority under the guise of questioning the right of federal officials at."); *United States* v. *Town of Windsor*, 765 F.2d 16, 18 (2d Cir. 1985); *United States* v. *City of Philadelphia*, 798 F.2d 81 (3d Cir. 1986).

The foregoing principles have been applied by the Fourth Circuit in considering the application of state attorney ethics rules of Department of Justice attorneys. In *Kolibash* v. *Committee on Legal Ethics of W.Va. Bar*, 872 F.2d 571, 575 (4th Cir. 1989), the court observed that "[r]egulation of the legal profession admittedly implicates significant state interests, but the federal interest in protecting federal officials in the performance of their federal duties

is paramount." The court also noted that state attorney disciplinary proceedings "could be used to interfere with the duties of federal officials, including the President of the United States, the Secretary of State, and the Attorney General of the United States, all of whom may be lawyers. Federal prosecutors too may be targets of retaliatory state proceedings * * *." *Id.*

For these reasons, the Department of Justice respectfully states that direct state regulation of federal officials regarding the circumstances under which they may communicate with represented persons is inappropriate, and that the power to regulate such conduct must remain with the federal government, at lease in the absence of a clear congressional directive to the contrary.

Several commenters directed the attention of the Department to the recent opinion of the United States District Court for the District of New Mexico, *Matter of Doe*, 801 F. Supp. 478 (D.N.M. 1992), wherein the court states, among other things, that federal prosecutors are subject to regulation and punishment by state bar disciplinary authorities. The Department of Justice respectfully submits that the opinion is wrongly decided and filed an action in the United States District Court for the District of Columbia to enjoin the Chief Disciplinary Counsel of the Disciplinary Board of the Supreme Court of New Mexico from proceeding with its disciplinary action against John Doe, an Assistant United States Attorney for the District of Columbia. The District Court dismissed the government's complaint for want of personal jurisdiction over the defendant, and noted, in dicta, that the New Mexico proceeding against Doe was not barred by the Supremacy Clause because (1) the government had not demonstrated that Doe's contact with the defendant was "necessary and proper" to the AUSA's duties as a federal prosecutor, and (2) there was no "federal law" that could preempt state law. *United States* v. *Ferrara*, Civil Action No. 92–2869 (D.D.C.) (May 28, 1993). The Department of Justice is considering whether to appeal this decision.

In addition to the Supremacy Clause concerns, it should also be noted that regulation of Department of Justice attorneys by the states would almost certainly perpetuate the current difficulties regarding inconsistent and unclear interpretations of the ethical rules in the various jurisdictions.

One organization commented that the congressional requirement that Department of Justice lawyers be members of the bar of at least one state or the District of Columbia mandates that Department lawyers adhere to the ethical standards imposed by those licensing jurisdictions. The requirement that Department of Justice attorneys be members of the bar of one or more states or territories is set forth in a 1979 appropriation act, which has been carried forward in various additional appropriation acts over the past several years. Department of Justice Appropriation Act, Fiscal Year 1980, Public Law 96–132, 3(a), 93 Stat. 1040, 1044 (Nov. 30, 1979), as carried forward by, *e.g.*, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, Fiscal Year 1993, Public Law 102–395, tit. I, section 102(a), 106 Stat. 1828, 1838 (Oct. 6, 1992). That requirement clearly does not, however, constitute the "express" and "affirmative" command of Congress required under the Supremacy Clause to permit direct state regulation of federal officials. See *Hancock* v. *Train*, 426 U.S. 167, 178–79 (1976); *but see, United States* v. *Ferrara*, Civil Action No. 92–2869 (D.D.C.) (May 28, 1993).

c. *Local Federal District Court Ethical Rules.* One organization and one individual specifically commented that the proper authorities for promulgating and interpreting rules of attorney discipline for Department of Justice attorneys were the federal courts. The organization commented that "[j]udges traditionally have control, through disciplinary proceedings, over the conduct of attorneys practicing before them," and that by "attempting to get its own standard for its lawyers, the Department invites a conflict between executive and judicial power." The individual stated that the proposed rule "is probably an unconstitutional encroachment upon the supervisory powers of federal district courts, each of which has adopted its own rules of conduct and incorporated by local rule the rules of conduct of the state bar where the district is located." The individual further stated that "it is readily apparent that an Article III court operating pursuant to its inherent supervisory powers, as well as a delegated rulemaking power, carries constitutional rulemaking authority that is at least co-equal to, if not superior to, that of the Justice Department concerning the conduct of lawyers and their agents appearing before them."

As an initial matter, it is by no means certain that local federal district court rules will conflict with the present rule. A number of federal district courts have adopted local rules that adopt or incorporate ABA or state disciplinary rules in their entirety, including a version of DR 7–104 or Rule 4.2. By incorporating state bar rules, virtually all such local rules have thereby incorporated the "authorized by law" exception. Accordingly, communications pursuant to these rules will not violate any local district court rule which incorporates the ABA rule or a state analogue of that rule. If, however, a district court adopts a local rule that incorporates a state rule (such as Florida Rule of Professional Conduct 4–4.2) not containing the "authorized by law" exception, or if the court narrowly interprets that exception, a potential conflict may exist with these rules. See N.D. Fla. Local Rule 4(G)(1) (incorporating "the Code of Professional Responsibility of the American Bar Association as modified and adopted by the Supreme Court of Florida to govern the professional behavior of the members of The Florida Bar"); M.D. Fla. Local Rule 2.04(c) (same, except substituting "Model Rules of Professional Conduct" for "Code of Professional Responsibility"); compare S.D. Fla. Local Rule 16(c) (incorporating the "current Canons of Professional Ethics of the American Bar Association"). Whether an actual conflict exists would depend, of course, on the particular circumstances of an individual case, including the manner in which the district court interprets or applies its local rule.

If such a conflict arises, the question then becomes whether such a rule—adopted by a federal district court to govern the out-of-court conduct of Department of Justice officials—is a valid exercise of judicial authority. The power to adopt such a rule must be derived from one of two sources: the local rulemaking power specifically granted to the courts pursuant to 28 U.S.C. 2071, Fed. R. Crim. P. 57, and Fed. R. Civ. P. 83, or the court's inherent supervisory powers.

The local rulemaking authority of the federal district courts is narrowly limited. As the Notes of the Advisory Committee on Criminal Rules to Fed. R. Crim. P. 57 make clear, that authority is limited to prescribing local practices as to "matters of detail." Accordingly, to the extent that a local federal district court rule seeks to prohibit otherwise-legal conduct of Department of Justice attorneys in the exercise of their out-of-court investigatory duties, that rule would almost certainly exceed the local rulemaking authority of the court. *Baylson* v. *Disciplinary Board*, 975 F.2d 102, 108–09 (3d Cir. 1992), *cert. denied* 61 U.S.L.W. 3651 (U.S. No. 92–1021, March 22, 1993); *United States* v. *Klubock*, 832 F.2d 649, 658–660 & n.25 (1st Cir. 1987) (Campbell, J., dissenting),

832 F.2d 664, 668–69 (1st Cir. 1987) (Campbell, J., dissenting en banc); see Johnson, "The Impact of Disciplinary Rule 7–104 on Law Enforcement Contact with Represented Persons," 40 U. Kan. L. Rev. 63, 152–54 (1992); see also Cramton & Udell, "State Ethics Rules and Federal Prosecutors: The Controversies over the Anti-Contact and Subpoena Rules," 53 U. Pitt. L. Rev. 291, 316 (1992) (criticizing lack of uniformity of local district court rules adopting ethical rules and noting that "the substantive and procedural rights of persons subject to federal law should not vary by state or by judicial district").

The ability of district courts to adopt similar restrictions through the exercise of the supervisory power is likewise narrowly circumscribed. The courts have no general supervisory power over federal prosecutors. See, *e.g., United States* v. *Russell*, 411 U.S. 423, 435 (1973) (federal judiciary does not have a "'chancellor's foot' veto over law enforcement practices of which it does not approve"); *United States* v. *Hasting*, 461 U.S. 499 (1983); *Baylson* v. *Disciplinary Board*, 975 F.2d 102, 109–11 (3d Cir. 1992), *cert. denied* 61 U.S.L.W. 3651 (U.S. No. 92–1021, March 22, 1993); *United States* v. *Simpson*, 927 F.2d 1088 (9th Cir. 1991); Johnson, *supra*, 40 U. Kan. L. Rev. at 154–60. In particular, the supervisory power may not be used as a means of prescribing standards of prosecutorial conduct for out-of-court activities that do not violate clear constitutional or statutory norms. See *United States* v. *Williams*, 112 S. Ct. 1735, 1742 (1992) (supervisory power may not be used "as a means of prescribing standards of prosecutorial conduct before the grand jury in the first instance"). Accordingly, it appears clear that a local federal district court could not prescribe, pursuant to its supervisory power, standards for prosecutorial communications with represented persons for communications that do not violate the Sixth Amendment or other federal law.

At least two other constitutional or legal issues raise serious impediments to local rulemaking by the federal district courts with regard to the out-of-court conduct of Department of Justice officials. First, because prosecutors are not only lawyers (and therefore "officers of the court"), but also officers of the Executive Branch performing executive duties, judicial regulation by local district court rules of their out-of-court functions raises serious separation of powers concerns. See Moore, "Intra-Professional Warfare between Prosecutors and Defense Attorneys: A Plea for an End to Current Hostilities," 53 U. Pitt. L. Rev. 515, 524 (1992) ("Unlike many government lawyers * * * prosecutors often perform tasks which are primarily executive in nature") (footnote omitted); Johnson, *supra*, 40 U. Kan. L. Rev. at 162–68 (arguing that application of DR 7–104 to investigative communications by prosecutors violates separation of powers); see also *In re Grand Jury Proceedings*, 613 F.2d 501, 504–05 (5th Cir. 1980) (judiciary may not intrude into executive branch decisions concerning the prosecution of cases). Second, and in any event, conflicting local rules must give way to the command of Congress empowering the Attorney General to promulgate regulations governing the "conduct" of Department of Justice attorneys under relevant statutory authority. See *Michaelson* v. *United States*, 266 U.S. 42, 65–66 (1924) (Congress can legislate and overrule court practice even in areas indisputably involving the courts' "inherent power").

Finally, there remains the practical difficulty that the ninety-four different federal district courts will almost certainly not adopt consistent and clear interpretations of DR 7–104. See generally *Rand* v. *Monsanto Co.*, 926 F.2d 596, 600–03 (7th Cir. 1991) (noting great variety of approaches taken by federal district courts to adopting ethical rules, and criticizing resulting "balkanization of litigation").

Accordingly, and for the foregoing reasons, the Department of Justice respectfully submits that the regulation of Department of Justice officials regarding communications with represented persons is not an appropriate subject for local federal district court rulemaking.

6. Department of Justice Rulemaking Power

One organization commented that it was "doubtful" whether Congress "could alter the sources of ethical standards and the enforcement mechanism governing the conduct of DOJ lawyers" because of the "paramount interests of the judicial branch in the conduct of members of the legal profession." The organization further stated that "[i]n any event, Congress has not chosen to do so." Another organization commented that "the Department lacks the power to issue a regulation which purports to establish ethical standards for Department of Justice employees". Another organization commented that the Department of Justice does not have "the power to legislate or to promulgate rules of evidence."

These comments misconceive both the congressional authority to enact legislation governing the judicial branch and the scope of existing federal status. First it is well-established that Congress can legislate and overrule court practices even in areas indisputably involving the courts' "inherent power." See *Michaelson* v. *United States*, 266 U.S. 42, 65–66(1924). It is thus clear that Congress has the power to prescribe standards of conduct for attorneys in federal court, notwithstanding the traditional involvement of the courts in attorney licensing and discipline. It is also well-established that Congress has the power to prescribe standards of conduct for Executive Branch employees. See *Ex Parte Curtis*, 106 U.S. 371, 372 (1882).

Second, Congress has by statute empowered the Attorney General to promulgate regulations such as these. The Attorney General is granted certain specific statutory powers under federal law, including the power (through intermediary officials) to conduct grand jury proceedings or any other kind of civil or criminal legal proceeding; to conduct litigation, and to "secur[e] evidence" therefor; to detect and prosecute crimes; and to prosecute "civil actions, suits, and proceedings in which the United States is concerned." 28 U.S.C. 515(a), 516, 533, 547; see 28 U.S.C. 509, 510. The Attorney General is also authorized to "supervise all litigation" to which the United States is a party and to direct United States Attorneys and other subordinate attorneys in the "discharge of their respective duties." 28 U.S.C. 519. Furthermore, as the head of an Executive Department, the Attorney General has the authority to prescribe regulations for the "government" of the Department of Justice, "the conduct of its employees," and "the distribution and performance of its business." 5 U.S.C. 301.

The Attorney General is thus authorized, among other things, to prescribe regulations governing the "conduct" of Department of Justice attorneys in the course of "securing evidence" and discharging their duties. Traditionally, the issue of whether attorneys may "secure evidence" through communications with represented persons, where not prohibited by the Constitution, has been treated as one of attorney "conduct," not as a matter of criminal or civil procedure or substantive law. By treating the issue as a matter of attorney conduct under 5 U.S.C. 301, these rules follow that traditional approach. The promulgation of these rules is thus directly authorized by federal statute.

7. The Preemptive Effect of the Rule

At lease two organizations commented regarding the legal authority of the Department of Justice to preempt state regulation of federal officials through attorney ethical rules. One organization stated that none of the statutes cited in the "Purpose and Authority" section of the proposed rule "confers the power to preempt or displace" state ethical rules, or to "override the power of state and federal judges to enforce ethical standards in their respective courts." The other organization similarly stated that the Department of Justice does not have the power to "supplant" state and local court rules governing attorney ethics under existing federal statutes, and that "[w]hen the state law to be preempted by federal law concerns matters traditionally within the realm of the states, the federal law must demonstrate a clear and manifest purpose to preempt the state law on that subject."

These comments reflect an apparent misunderstanding of the limits of the authority of the states to impose direct regulation on federal officials, as well as principles of federal preemption. First, and as set forth above,, the states may not directly regulate or punish federal officials for acts undertaken in their official capacities, or otherwise substantially interfere with the lawful functions of federal officials. Conflicting state rules regarding communications with represented persons thus may not be enforced against Department of Justice officials. Moreover, to the extent that the issue may be considered one of federal preemption of state laws, it is clear that conflicting state rules must yield to the federal rule. While a "clear and manifest purpose" on the part of Congress to preempt state law is required where Congress legislates in "a field which the States have traditionally occupied," *Rice* v. *Santa Fe Elevator Corp.*, 331 U.S. 218, 230 (1947), the regulation of the conduct of federal officials in the performance of their duties is not a matter "traditionally occupied" by the states. Furthermore, and in any event, such congressional purpose to preempt may be evidenced where "the federal interest is so dominant that the federal system will be assumed to preclude enforcement of state laws on the subject." *Rice*, 331 U.S. at 230; *Fidelity Federal Sav. & Loan Ass'n* v. *De La Cuesta*, 458 U.S. 141, 153 (1982); see *Hines* v. *Davidowitz*, 312 U.S. 52 (1941). The dominant federal interest in regulating the conduct of federal officials in the performance of their official duties is readily apparent. Finally, "[e]ven where Congress has not completely displaced state regulation in a specific area, state law is nullified to the extent it actually conflicts with federal law." *Hillsborough County* v. *Automated Medical Laboratories, Inc.*, 471 U.S. 707, 713 (1985). Such a conflict arises when "compliance with both federal and state regulations is a physical impossibility," *Florida Lime & Avocado Growers, Inc.* v. *Paul*, 373 U.S. 132, 142–43 (1963), or when state law "stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress," *Hines* v. *Davidowitz*, 312 U.S. at 67. See *Baylson* v. *Disciplinary Board*, 975 F.2d 102, 111–12 (3d Cir. 1992) (state ethical rules regarding grand jury subpoenas to attorneys may not be enforced against federal prosecutors under Supremacy Clause because of conflict with federal law), *cert. denied* 61 U.S.L.W. 3651 (U.S. No. 92–1021, March 22, 1993). Accordingly, and for the foregoing reasons, the enforcement of conflicting state ethical rules must yield to the federal rule under the Supremacy Clause of the Constitution.

8. Relationship of Rule to Other Ethical Rules

One organization commented that the rule does not "acknowledge the importance of the [ABA] Rules of Professional Conduct except as they apply to defense attorneys in multiple representation situations." This comment misconceives the purpose of the rule. As stated in the Background section of the notice of proposed rulemaking, 57 FR 54737, 54741 (Nov. 20, 1992), these rules are not intended to address the general question of the application of state rules of professional conduct to Department of Justice attorneys, but only the relatively narrow issue of communications with represented persons.

Two organizations commented that the rule would set a precedent that the Department of Justice might employ in areas other than the issue of communications with represented persons. One such organization stated that "there would be no impediment to establishing an entirely separate set of ethical standards for Department of Justice lawyers which would supplant state bar requirements." The Department of Justice respectfully submits that the potential effect of the rule as a precedent is entirely speculative, and therefore not an appropriate basis to withdraw the rule. The argument concerning the potential supplanting of state bar ethical requirements is in essence a restatement of the argument that the Department of Justice should not promulgate regulations regarding attorney conduct that may conflict with state requirements, addressed above.

Three organizations commented that the approach taken by the Department of Justice might be employed by other federal agencies to "exempt" their attorneys from ethical rules or "to permit conduct by their lawyers which is inconsistent with ethical rules." These comments raise collateral issues. The question of whether another agency has the authority to issue regulations governing the conduct of its attorneys in a particular area is entirely dependent on that agency's particular statutory authority, and need not be addressed at this time.

9. Lack of Participation of Outsiders in Drafting Rule

One individual commented that the proposed rule should not have been drafted "apparently without input from judges, private lawyers, academics and others" from outside the Department of Justice who "traditionally play a role in shaping rules of professional conduct." This comment fails to appreciate the purpose of the public notice and comment period. The Department of Justice did, in fact, informally consult with representatives of the organized bar during the drafting process, as noted above. Furthermore, Department attorneys consulted a wide variety of articles, papers, and other materials from the academic and judicial communities and the private bar in the course of preparing the proposal. The degree of prepublication consultation was unusually broad, not sparse as the comment suggests. Moreover, the rule is again proposed for further comments in order to ensure the broadest range of views and comments from interested persons.

B. Comments Relating to Particular Sections

1. Section 77.1: Purpose and Authority

Comments relating to this section are addressed in the General Comments section above.

2. Section 77.2: Definitions

One Department of Justice component commented that the definitions in the rule should provide "greater distinction, perhaps in the way of illustrative examples, between covered and non-covered civil activities, especially for those Department attorneys whose practice is generally conducted in forums other than federal district court," such as administrative tribunals. In response to this comment, a sentence

has been added to § 77.2(f) to make clear that the phrase "action or proceeding" includes any action or proceeding "before any court or other tribunal."

3. Section 77.3: Represented Person

One organization commented that "[w]ith only rare exceptions, in-house counsel represent the corporation concerning all subject matters," and that the rule "attempts to narrow representation in a way that does not recognize the realties of in-house practice."

This comment appears to misconstrue the definition of "represented person" contained in § 77.3. Under ordinary circumstances, the representation of a corporation by in-house counsel would readily fall within the three-part test set forth in the rule. In order to clarify the matter, however, the Department will revise the commentary to make clear that a corporation represented by in-house counsel may qualify as a "represented person" for purposes of the rules.

4. Section 77.4: Constitutional and Other Limitations

The Department of Justice received no specific comments regarding this section.

5. Section 77.5: Criminal Enforcement—General Rule—Investigative Stage

a. *Restrictions on Investigatory Communications.* Three organizations and two corporations commented that the rule should impose significant restrictions on investigatory communications prior to the attachment of the Sixth Amendment right to counsel. One of the organizations and two of the corporations stated that such contacts should be prohibited during the pre-indictment stage, because of the importance of the protection that an attorney can provide during that time. One organization stated that "the pre-presentment, pre-indictment stage" in criminal matters was the time "when most, if not all, prosecutorial discretion is exercised," and that "[c]orporate counsel must be informed if the Department of Justice desires to speak to current or former employees" at that stage. Another corporation stated that neither DR 7–104 nor Model Rule 4.2 "draw any distinction in the application of the rule to the investigative versus the prosecutorial stage of a matter," and cited the Hammad case as an example of the "reluctance" of some courts "to draw such distinctions." Another corporation stated that the Comment to Rule 4.2 states that the rule is intended to apply to "any person, whether or not a party to a formal proceeding," and further stated that "an adversarial relationship between a government attorney and a person under investigation exists before the commencement of a formal proceeding" and that therefore the rule does not adequately protect the person or the attorney-client relationship. One individual, however, stated that "[o]n balance, direct communications with represented clients can fairly be justified in the investigative stage of a criminal case."

The suggestion that the rule impose a blanket prohibition against communications with represented persons prior to indictment clearly sweeps too broadly. Such a rule would prohibit, for example, many routine undercover operations and many routine instances of police questioning that are currently permitted under existing law.

By not imposing such restrictions on investigative communications, and generally permitting communications occurring prior to the attachment of the right to counsel in the course of law enforcement investigations, the rule follows well-established case law. Every federal court to consider the issue, save one, has concluded that investigatory, non-custodial communications with represented persons prior to the attachment of the right to counsel do not violate DR 7–104. See *United States* v. *Ryans*, 903 F.2d 731, 739 (10th Cir.) ("We are not convinced that the language of the rule calls for its application to the investigative phase of law enforcement"), *cert. denied*, 111 S. Ct. 152 (1990); *United States* v. *Sutton*, 801 F.2d 1346, 1365–66 (D.C. Cir. 1986) (DR 7–104 "was never meant to apply to [pre-indictment, non-custodial] situations such as this one"); *United States* v. *Dobbs*, 711 F.2d 84, 86 (8th Cir. 1983) (DR 7–104 "does not require government investigatory agencies to refrain from any contact with a criminal suspect because he or she previously had retained counsel"); *United States* v. *Fitterer*, 710 F.2d 1328, 1333 (8th Cir.) (DR 7–104 does not prohibit prosecutors from using undercover informants to communicate with represented persons prior to indictment), *cert. denied*, 464 U.S. 852 (1983); *United States* v. *Jamil*, 707 F.2d 638 (2d Cir. 1983) (prosecutor's use of undercover information in pre-indictment, non-custodial setting to communicate with represented person does not violate DR 7–104; *United States* v. *Vasquez*, 675 F.2d 16, 17 (2d Cir. 1982) (DR 7–104 was not intended to prohibit use of undercover informants prior to indictment); *United States* v. *Kenny*, 645 F.2d 1323, 1339 (9th Cir.) ("the government's use of such investigative techniques at this stage of a criminal matter does not implicate the sorts of ethical problems addressed by the Code"), *cert. denied*, 452 U.S. 920 (1981); *United States* v. *Weiss*, 599 F.2d 730, 739 (5th Cir. 1979) (DR 7–104 does not prohibit prosecutors from engaging in investigatory communications); *United States* v. *Lemonakis*, 485 F.2d 941, 953–55 (D.C. Cir. 1973) (DR 7–104 does not apply prior to indictment, and use of undercover informant did not violate rule in any event), *cert. denied*, 415 U.S. 989 (1974); *United States* v. *Infelise*, 773 F. Supp. 93, 95 (N.D. Ill. 1991) (DR 7–104 "does not apply to non-custodial, investigative processes that occur before the initiation of criminal proceedings"); *United States* v. *Buda*, 718 F. Supp. 1094, 1096 (W.D.N.Y. 1989); *United States* v. *Chestman*, 704 F. Supp. 451, 454 (S.D.N.Y. 1989), *rev'd on other grounds*, 903 F.2d 75 (2d Cir. 1990), *aff'd in part*, 947 F.2d 551 (2d Cir. 1991) (en banc); *United States* v. *Galanis*, 685 F. Supp. 901, 903–04 (S.D.N.Y. 1988); *United States* v. *Guerrerio*, 675 F. Supp. 1430, 1438 (S.D.N.Y. 1987). But see *United States* v. *Hammad*, 858 F.2d 834, 840 (2d Cir. 1988) (pre-indictment communications may be improper if accompanied by "misconduct" on the part of the government); see also Comment to ABA Model Rule 4.2 (notwithstanding use of the term "party," the rule does not require that a person be "a party to a formal legal proceeding").

The Department of Justice nevertheless acknowledges that some restrictions on overt communications during the investigative stage may be appropriate. Accordingly, the Department is issuing companion provisions in the United States Attorneys' Manual which set forth certain policies with regard to overt investigatory communications that will have a restrictive effect in many instances. The specific provisions of the Manual are discussed more fully below.

One individual commented that the various restrictions on investigatory communications set forth in the United States Attorneys' Manual, while "meaningful," should be included in the text of the rule itself. The individual stated that "[i]t is unclear whether prosecutorial conduct at odds with the restrictions contained in the U.S. Attorneys' Manual could be the basis of a sanction in the context of judicial proceedings."

The Department of Justice has carefully considered this suggestion, and has determined that the restrictions are more properly placed within the

U.S. Attorney's Manual as internal Department policies.

First, these restrictions, while representing sound policy choices, are not required by, or derived from, existing case law. Because they have not been created against an extensive backdrop of judicial decisionmaking and experience, but are entirely new, there is a significant possibility that the Department may inadvertently overregulate (or, indeed, underregulate) the conduct of its attorneys with regard to these restrictions. The enhanced flexibility of internal policy making processes over formal rulemaking will permit more rapid responses to inadvertent errors in the restrictions. The Department of Justice accordingly believes that the restrictions should remain internal policy of the Department, or at a minimum should remain so until substantial experience with their application has been gained.

Second, the purpose of the restrictions on certain investigatory communications is not limited solely to protection of the attorney-client relationship, but also to promote good faith negotiations of agreements and settlements, to enhance professional courtesy between attorneys, and to promote public confidence in the fairness and professionalism of Department attorneys. The restrictions thus serve somewhat different goals, and are not necessarily an integral part of the overall rules.

Third, one of the primary advantages to placing these restrictions in the rules, rather than in the Manual, would appear to be to make the restrictions easier to locate, and therefore to provide greater assurance that Department attorneys will comply with the restrictions. While the Department agrees that it would be beneficial from the standpoint of convenience and efficiency to place all relevant rules, restrictions, and policies in a single set of comprehensive rules, the same may be said of virtually any Department policies. Such considerations do not normally outweigh factors such as whether the subject matter is an appropriate one for formal rulemaking.

Fourth, the United States Attorneys' Manual contains a great number of significant Department of Justice policies, many of which impose substantial restrictions on Department attorneys. There is no evidence that such policies are routinely overlooked by Department attorneys; on the contrary, the failure to follow such policies is very rare, and provides no reason to conclude that the restrictions will not be effective.

The Department does not believe that the Manual will be used as the basis for judicial sanctions, such as the suppression of evidence, in a pending matter. Both the rule itself, in § 77.15, and the United States Attorneys' Manual, in section 1–1.100, specifically state that they are not intended to confer rights on third parties, or otherwise to have extra-disciplinary consequences. In this respect, both the rule and the Manual follow the approach of the ABA rules. See ABA Code of Professional Responsibility, Preliminary Statement; ABA Model Rules of Professional Conduct, Scope; see generally Johnson, "The Impact of Disciplinary Rule 7–104 on Law Enforcement Contact with Represented Persons," 40 U. Kan. L. Rev. 63, 168–71 (1992).

b. *Overt Communications.* One organization commented that the rule does not pay sufficient heed to "the significant legal differences between undercover and overt contacts." The organization stated that overt contacts are particularly inimical to the attorney-client relationship; "in an overt contact, a prosecutor or agent is not carrying on the charade of a criminal conversation, but rather seeking to engage the represented person in a non-criminal discussion about precisely the subject matter on which that person has engaged counsel for advice." The organization further stated that "[m]any courts that have tolerated pre-indictment undercover contacts have nonetheless criticized government attorneys for authorizing overt contacts prior to indictment without the prior consent of counsel," citing, among other sources, several federal appellate opinions.

The Department of Justice agrees with the comment to the extent that it observes that certain types of overt communications in the investigative stage may have an unduly harmful effect on the attorney-client relationship. In order to minimize direct contact between government attorneys and represented persons, the United States Attorneys' Manual provides that government attorneys in criminal matters, as a general rule, should personally engage in such communications only after careful consideration of whether the communication is more appropriately handled by law enforcement agents. USAM 9–13.221. In addition, the Manual addresses five categories of overt government-initiated communications: (1) Communications intended to discourage attorney consultation; (2) communications intended to elicit lawful defense strategy or legal arguments of counsel; (3) communications for the purpose of negotiating or concluding a plea agreement or settlement; (4) certain communications occurring during ongoing good faith negotiations with counsel, discussed more fully below; and (5) communications after providing counsel with assurances that such communications would not be attempted. The Manual prohibits certain types of communications falling within these categories, and states that certain others should be avoided in the absence of compelling law enforcement reasons. USAM 9–13.222–26.

The Department of Justice disagrees, however, with the organization's analysis of the cases cited. Two of the cases involved communications with represented persons after the attachment of the Sixth Amendment right to counsel, rather than communications during the investigative phase. See *United States* v. *Thomas*, 474 F.2d 110, 112 (10th Cir. 1973) (communication with defendant after appointment of counsel and preliminary hearing); *Coughlan* v. *United States*, 391 F.2d 371, 372 (9th Cir.) (communication with defendant after appointment of counsel and arraignment), *cert. denied*, 393 U.S. 870 (1968). Significantly, both of those cases predate the Supreme Court's decision in *Michigan* v. *Jackson*, 475 U.S. 625, 636 (1986), which held that if the government initiates an interrogation after a defendant's assertion of his right to counsel, at an arraignment or similar proceeding, any waiver of the defendant's right to counsel for police-initiated interrogation with respect to the pending matter is presumed invalid. Thus, the case cited, which held that such practices violate attorney ethical rules, appear to have been superseded entirely by *Michigan* v. *Jackson*, which held that such practices violate the Sixth Amendment. Furthermore, and in any event, the practices complained of in the cases cited in the comment are prohibited by the rule.

The other two cases involved custodial interrogation of an arrestee after the appointment of counsel at an initial appearance before the magistrate See *Wilson* v. *United States*, 398 F.2d 331, 333 (5th Cir. 1968), *cert. denied*, 393 U.S. 1064 (1969); *United States* v. *Four Star*, 428 F.2d 1406, 1407 (9th Cir.), *cert. denied*, 400 U.S. 947 (1970). In keeping with well-established constitutional law, these rules do not generally prohibit custodian interrogations, prior to the attachment of the right to counsel, of persons who are represented by counsel. See *e.g.*, *Moran* v. *Burbine*, 475 U.S. 412, 428–32 (1986) (custodial interrogation of represented

person prior to arraignment or formal charging does not violate Sixth Amendment; attachment of the right to counsel should not depend on "the fortuity of whether the suspect or his family happens to have retained counsel prior to interrogation"); see generally *United States* v. *Rondon*, 614 F. Supp. 667, 670–75 (S.D.N.Y. 1985). The commentary, however, will provide that government attorneys are expected to be particularly scrupulous as to the rights of defendants in custody, and to be cognizant of judicial criticisms of certain practices relating to custodial interrogations. In addition, government attorneys will be required to observe the requirement in the United States Attorneys' Manual that they personally engage in such communications "only after careful consideration of whether the communication would be more appropriately handled by law enforcement agents." USAM 9–13.221.

One organization commented that pre-indictment communications should be prohibited where a lawyer for a party or witness not under indictment is in regular contact with the government about potential criminal litigation, ongoing civil litigation, or appearances before a grand jury.

This comment calls for more comprehensive restrictions than appear to be appropriate under the circumstances. Such a prohibition would apply, for example, to undercover communications, and would require that an undercover operation be immediately terminated once the person's lawyer begins communicating with a government attorney about potential criminal proceedings. Nevertheless, the Department of Justice believes that some restrictions to protect ongoing good faith negotiations are appropriate. Accordingly, section 9–13.225 of the United States Attorneys' Manual will provide that during the investigative stage, and absent compelling law enforcement reasons, attorneys for the government should avoid initiating overt, non-custodial communications with a represented person outside the presence of counsel if (a) the attorney for the government and counsel for the represented person are engaged in ongoing good faith negotiations regarding anticipated criminal or civil charges arising out of past criminal activity or civil violations by the represented person, and (b) the communication with the represented person is intended to elicit incriminating information regarding the past criminal activity or civil violations under negotiation, or otherwise to affect the course of the negotiations. This provision is intended largely to facilitate good faith plea or settlement negotiations and is grounded on notions of professional courtesy as well as protection of the attorney-client relationship. The negotiations must, of course, involve ongoing, good faith attempts between the parties to resolve anticipated charges, not mere unilateral proposals or suggestions. The restriction no longer applies once negotiations have proved unsuccessful or are otherwise concluded. Undercover communications are not affected by the provision.

c. *The Timing of Formal Charges.* One organization, one corporation, and one individual commented that the government may manipulate the timing of bringing formal charges in order to communicate with represented persons. The corporation stated that "the applicability of a disciplinary rule should not be conditioned on a tactical decision entirely within the control of the government attorney."

These comments appear to overstate considerably the realistic potential for prosecutorial abuse. Under current law, the Sixth Amendment right to counsel does not attach until the initiation of adversary judicial proceedings, such as the filing of an indictment. After the right has attached and has been asserted, law enforcement officers may no longer initiate communications with represented persons for the purpose of discussing the pending criminal charges. See *Massiah* v. *United States*, 377 U.S. 201, 206 (1964). If the prosecutor has the capacity to "manipulate" the charging process in order to communicate with represented persons regarding uncharged crimes, that capacity presently exists under the Sixth Amendment. There appears to be no evidence, however, of systematic prosecutorial abuse of the charging process under the Sixth Amendment, and accordingly there is no reason to suspect that prosecutorial practices under the rule will be substantially different. Appropriate language will, however, be added to the commentary to warn against misuse of the charging power. It should also be noted that the time of arrest, or the time when a person becomes a target of a grand jury investigation, is no more or less susceptible of prosecutorial "manipulation" than the time of formal charging, and thus the selection of either one as the triggering event would not provide significant additional protection against abusive practices.

6. Section 77.6: Criminal Enforcement; General Rule; Prosecutive Stage

One individual commented that the dividing line between the investigative and prosecutive stages of a criminal proceeding should not be the point at which the Sixth Amendment right to counsel attaches, but rather the time of arrest or the point at which defendant becomes a target of a criminal investigation. The individual stated that "[a]t those points, when there is a substantial certainty that the defendant will face criminal charges, the interests protected by DR 7–104(A)(1) are implicated virtually to the same extent as they are post-indictment, and the government's investigative interests are not substantially stronger."

The Department of Justice believes that the attachment of the Sixth Amendment right to counsel is an appropriate dividing line between the investigatory and prosecutive stages. That dividing line is well-established in Sixth Amendment jurisprudence, and has not proved to be unduly burdensome or unworkable. Extension of the dividing line back to the time of arrest potentially could have a dramatic effect on current law enforcement practices; among other things, such a rule might substantially limit routine post-arrest questioning by law enforcement officers. Extension of the line even farther back, to the point when a defendant becomes a target of an investigation, would preclude many currently routine undercover and overt communications. Furthermore, the precise time at which a person becomes a "target" of a grand jury investigation is often not readily ascertainable, and indeed may be almost impossible to ascertain.

7. Section 77.7 Criminal Enforcement; Exceptions; Prosecutive Stage

a. *Relationship of Exceptions to Sixth Amendment.* Two organizations, one corporation, and one individual commented that the scope of the rule should not be coextensive with the protections of the Sixth Amendment. The individual stated that 77.7 in particular is objectionable because it would permit post-indictment communications with represented defendants "in virtually every situation in which the Sixth Amendment would permit them." The two organizations and the corporation stated that whether a communication violates the Sixth Amendment should not serve as the determining factor in establishing appropriate rules of conduct for attorneys, because ethical standards serve different purposes or "higher" goals than constitutional provisions.

Only one of the foregoing comments provided any specific examples of post-indictment communications that would be appropriate under the Sixth

Amendment but that should be nevertheless prohibited under these rules; the individual suggested that it may be appropriate to impose limitations on communications regarding uncharged past crimes. Furthermore, none of the comments articulated any reason why restrictions on communications with represented persons in the prosecutive stage should not be coextensive with the Sixth Amendment restrictions, except to note generally that the restrictions in DR 7–104 and the Sixth Amendment are intended to serve differing purposes.

Section 77.7 is, as the comments indicate, derived principally from Sixth Amendment case law. Unlike constitutional jurisprudence in other areas, that case law does not simply set broad constitutional minimums, but provides a fairly detailed set of procedural rules that are now reasonably well-established and familiar to law enforcement. Furthermore, the Sixth Amendment jurisprudence over the past several decades demonstrates a careful effort to balance the competing interests of protection of the right to counsel and promotion of effective law enforcement. Accordingly, the Department believes that it is appropriate for the regulation to follow the Sixth Amendment case law regarding communications in the prosecutive stage. The Department has, in addition, imposed certain policies and procedures in the United States Attorneys' Manual to provide additional safeguards beyond those required by the Sixth Amendment.

One organization commented that the rules should not be coextensive with the Fifth Amendment protections regarding custodial interrogation. The Department of Justice acknowledges that the rule does not specifically address custodial interrogation, except to require in Section 77.4 that all communications comply with constitutional requirements, including the Fifth Amendment. The comment did not, however, suggest particular restrictions that are not mandated by the Constitution but which nevertheless appeared to be appropriate, nor did it articulate a reason why further restrictions would be desirable.

One individual commented that the exceptions in § 77.7 "virtually swallow up the general rule [in § 77.6] forbidding *ex parte* contacts after indictment." That comment considerably overstates the scope of the exceptions in § 77.7, which are derived directly from existing case law under the Sixth Amendment. In fact, §§ 77.6 and 77.7, like the Sixth Amendment cases on which they are based, impose substantial restrictions, such as the almost complete prohibition on communications with represented persons concerning pending criminal matters.

b. *Section 77.7(d):* Investigation of New or Additional Crimes. One individual commented that the exception set forth in § 77.7(d) for communications involving new or additional criminal activity is too broad, because in the course of interrogation regarding additional crimes the prosecutor or agents "are likely to create the erroneous impression" that it is in defendant's best interests to cooperate with the government, which in turn may lead the defendant to make incriminating statements regarding the charged crime and may undermine the attorney-client relationship.

As set forth above, §§ 77.7(d) is derived from established case law interpreting the Sixth Amendment right to counsel. Among other things, the Sixth Amendment renders inadmissible in the prosecution's case in chief statements "deliberately elicited" from the accused without an express waiver of the right to counsel. *Michigan* v. *Harvey,* 494 U.S. 344, 348 (1990); *Maine* v. *Moulton,* 474 U.S. 159, 176 (1985); *United States* v. *Henry,* 447 U.S. 264, 274 (1980); *Brewer* v. *Williams,* 430 U.S. 387, 399 (1977); *Massiah* v. *United States,* 377 U.S. 201, 206 (1964). The restriction applies whether the elicitation is undercover or overt, and regardless of who initiates the communication leading to the elicitation. *Brewer* v. *Williams,* 430 U.S. at 400; *United States* v. *Henry,* 447 U.S. at 273; *Maine* v. *Moulton,* 474 U.S. at 174. The prohibition against deliberate elicitation of incriminating statements does not, however, prevent the use of statements that are volunteered by the defendant, or that are made freely to cooperating witnesses without elicitation. *Kuhlmann* v. *Wilson,* 477 U.S. 436, 459 (1986).

The Sixth Amendment prohibition against "deliberate elicitation" of incriminating information is incorporated into § 77.8(a) of the rule. The Department of Justice does not believe that additional restrictions are necessary or appropriate, in light of the relatively clear line of demarcation in the case law between permissible and impermissible elicitation. If a prosecutor oversteps the boundary, and deliberately elicits such information, the prosecutor risks both suppression of the evidence and personal discipline by the Department, which are ample deterrents to deliberate violations.

One organization and one individual commented that the government may have an incentive to manipulate the timing of bringing formal charges in order to communicate with represented persons under the "new or additional crimes" section. The individual stated that the rule would "encourage prosecutors to manipulate the grand jury process precisely for the purpose of exploiting the misimpressions created when the defendant is contacted without his lawyer being present." The individual provides an example of a prosecutor who might otherwise have asked the grand jury to indict the defendant on three bank robbery charges who indicts only on a single charge in order to contact the defendant to discuss the uncharged robberies. The individual states that the prosecutor would do so in order "to take advantage of the defendant's almost inevitable misimpression that he will receive lenient treatment with respect to the pending charges by cooperating with the law enforcement authorities in defense counsel's absence."

The Department of Justice believes that this comment overstates the potential for prosecutorial abuse, for essentially the reasons set forth above in the section captioned "The Timing of Formal Charges." Furthermore, and as stated above, a prosecutor who deliberately elicits incriminating information from a represented person regarding pending criminal charges risks both suppression of the evidence and personal discipline within the Department.

One organization commented that the rule would permit actual or potential conflicts of interest on the part of defense counsel to be created and remain undisclosed for substantial periods of time. The organization provided an example from a currently pending matter of a situation where allegedly an attorney represented two defendants who were indicted on unrelated charges, one of whom began cooperating with the government against the other without the attorney's knowledge. The organization stated that because the cooperating defendant was providing information to the government regarding new or additional criminal activity, or alternatively would not be considered represented with regard to the cooperation, the rule would permit the attorney to continue representing both defendants without knowledge of the conflict of interest. The organization further stated that such an arrangement would have a substantially detrimental impact on the rights of both defendants.

The Department of Justice believes that the potential for the creation of conflicts of interest does not provide a reason to prohibit communications with

represented persons regarding new or additional activity. Such a rule would essentially require the government to forego entirely receiving potentially significant evidence (for example, testimony regarding a planned murder) from a person who is willing to cooperate, solely on the basis that such cooperation may involve the person's attorney in a conflict of interest. While significant issues may be presented in such a situation, such as the manner and timing of the disclosure of the conflict of interest to the parties and the court, such issues are well beyond the scope of this rule.

c. *Section 77.7(e): Initiation of Overt Communication by Represented Person—Overt Communications.* One individual commented that section 77.7(e) does not require prosecutors "to engage in the customary practice of obtaining a ruling from a judicial officer that waiver is knowing and voluntary"; absent such a requirement, "there is a substantial danger that law enforcement authorities will engage in overreaching conduct by, for example, encouraging the defendant to 'initiate' communications and then inducing an ill-advised waiver of counsel."

Section 77(e) permits, under certain limited circumstances, a government attorney to engage in substantive discussions with a represented person after the person has knowingly, intelligently, and voluntarily waived the presence of counsel. The rule itself does not prescribe specific procedures for ensuring that such a waiver meets those standards; rather, those procedures are set forth at considerable length in the United States Attorneys' Manual. Among other things, the Manual requires that the government attorney must seek the intervention of a judicial officer when possible. USAM 9–13.257. In addition, the Manual sets forth various procedures to create an appropriate record for later review (*e.g.*, 9–13.252, requiring presence of witnesses at meetings; 9–13.257, requiring a record of any proceedings before a judicial officer; and 9–13.258, requiring that any waiver be in writing).

In accordance with *Michigan* v. *Jackson*, 475 U.S. 625, 636 (1986), the rules do not permit attorneys for the government to initiate communications with a represented defendant outside the presence of counsel after the attachment and assertion of the Sixth Amendment right to counsel in order to discuss the pending criminal matter, regardless of whether a waiver is obtained. Such communications are prohibited either pursuant to § 77.5, as prohibited post-indictment communications, not excepted, or pursuant to § 77.8, as a deliberate elicitation of incriminating information concerning pending criminal charges. That prohibition plainly extends to communications initiated by the government with a represented person after the attachment of the Sixth Amendment right to counsel for the purpose of inducing the represented person to "initiate" a communication with the government.

8. Section 77.8: Criminal Enforcement; Restrictions; Prosecutive Stage

One organization commented that "[t]he suggestion that undercover informants should participate in meetings between individuals and their attorneys in order to maintain their false identities" constituted a "wholesale invasion of the attorney-client relationship."

This comment runs counter to well-established case law regarding the attendance of undercover informants at defense meetings. The Sixth Amendment right to counsel does not completely prohibit undercover agents or cooperating witnesses from meeting with criminal defendants and their attorneys during the prosecution stage, even if strategy for the upcoming trial is discussed. *Weatherford* v. *Bursey*, 429 U.S. 545, 554–59 (1977); see *Hoffa* v. *United States*, 385 U.S. 293, 304–09 (1966). A strict prohibition against such meetings "would provide the defense with a quick and easy alarm system to detect the presence of any informants, simply by inviting all known associates of defendants to a supposed defense strategy meeting." *United States* v. *Mastroianni*, 749 F.2d 900, 906 (1st Cir. 1984).

Attendance at such meetings, however, plainly creates the potential for serious intrusion into the attorney-client relationship and impairment of the right of the defendant to a fair trial. Accordingly, § 77.8(b) provides that undercover agents or cooperating witnesses may participate in such meetings, but only when requested to do so by the defense and when reasonably necessary to protect their safety or life or the confidentiality of an undercover operation. See *Weatherford* v. *Bursey*, 429 U.S. at 557 (informant went to meeting "not to spy, but because he was asked and because the State was interested in retaining his undercover services on other matters and it was therefore necessary to avoid raising the suspicion that he was in fact the informant whose existence [the defendant and his counsel] already suspected"); *United States* v. *Ginsberg*, 758 F.2d 823, 833 (2d Cir. 1985) ("the need to maintain the confidentiality of an informant's identity is a legitimate law enforcement objective" for attendance at defense strategy meeting); *United States* v. *Mastroianni*, 749 F.2d at 906 ("preservation of an informant's cover and safety is a permissible rationale for an informant's attendance at a defense meeting").

The impetus for the agent or informant to attend such a meeting must come from the defense, meaning a defendant, defense counsel, a member of the defendant's family, or some other person identified with the defense camp. A deliberate attempt to intrude upon such a meeting to obtain information regarding defense strategy or trial preparation is prohibited.

Although attendance at defense meetings may be permitted under some circumstances, the Sixth Amendment requires that information obtained at such meetings regarding defense strategy or trial preparation should not be employed in the prosecution of the pending charges to the prejudice of the defendant, or used in any other way to the substantial detriment of the defendant (*e.g.*, as an aggravating factor at sentencing). See *Weatherford* v. *Bursey*, 429 U.S. at 558 ("unless [the informant] communicated the substance of the [attorney-client] conversations and thereby created at least a realistic possibility of injury to [the defendant] or benefit to the State, there can be no Sixth Amendment violation"); *United States* v. *Ginsberg*, 758 F.2d at 833; *United States* v. *King*, 753 F.2d 1, 2 (1st Cir. 1985).

As a safeguard, this rule provides that such information should not be communicated to the attorneys for the government or law enforcement agents who are participating in the trial of the pending criminal charges. Furthermore, the United States Attorneys' Manual requires that any tape recordings or other information or evidence obtained from such meetings be screened by persons who are not participating in the prosecution, and that any physical evidence be handled in a confidential and secure manner. USAM 9–13.260.

The commentary notes that government attorneys should be aware of, and give serious consideration to, the extreme sensitivity of permitting agent and informant attendance at defense meetings; that agents and informants should be instructed to attempt to avoid participating in such meetings, and to minimize their participation where attendance is required, if it is possible to do so without arousing suspicion; that agents or witnesses who attend defense meetings should also be instructed to avoid taking any active role whatsoever in the shaping of

defense strategy or trial preparation; and that agents and informants should be instructed to avoid imparting defense strategy or trial preparation information even to the law enforcement officials performing the "screening" function under USAM 9–13.260, if reasonably feasible to do so.

9. Section 77.9: Civil Enforcement; General Rule; Investigative Stage

One organization commented that the "extension of the rule to cover contacts in civil cases is a novel concept that is not supported in the Commentary by any judicial authority." The organization further stated that "[w]hile there is a societal interest in the civil enforcement of the law, this is certainly a lesser interest than exists in criminal law enforcement," and that the rule does not strike "the right balance between the Department's enforcement interest and the attorney-client interest in the civil context."

The Department of Justice respectfully disagrees that civil law enforcement is necessarily less significant, or implicates lesser interests, than criminal law enforcement. See, *e.g., United States* v. *Sells Engineering, Inc.*, 463 U.S. 418, 471–72 (1983) (Burger, C.J., dissenting) ("Many civil actions seek precisely the same object [as criminal prosecutions] * * * and are of at least equal importance in promoting the public welfare.").

Furthermore, in recognition of the special role played by government lawyers, courts addressing the application of DR 7–104 to Department of Justice attorneys engaged in civil law enforcement have generally applied the same principles that have been applied to prosecutors, and permitted investigatory communications with represented persons. See *United States* v. *Western Electric Co.*, 1990–1 Trade Cas. (CCH) ¶ 68,939 (D.D.C. 1990) and 1990–2 Trade Cas. (CCH) ¶ 69,148 (D.D.C. 1990) (Department of Justice attorneys are "authorized by law" to conduct ex parte interviews of current and former employees of company under investigation; in any event, former employees are not a "party" within the meaning of the rule); *In re U.S. Department of Justice Antitrust Investigation*, CIDs Nos. 9683, Misc. File No. 3–92–9, Report and Recommendation (D. Minn. 1992) (same); *United States* v. *Teeven*, Civil No. 90–503 LON, Slip Op. (D. Del. 1990) (in civil investigation under the False Claims Act, ex parte interviews of the employees of the company under investigation are "authorized by law" within the meaning of the rule); *Hyatt* v. *Northrop Corp.*, CV 87–6892KN, Slip Op. (C.D. Cal. 1989) (ex parte interviews of employees of defendant permissible because employees are not "parties").

Accordingly, and as set forth in the Background section of the notice of proposed rulemaking, 57 FR 54737, 54740 (Nov. 20, 1992), the Department of Justice has concluded that communications by government attorneys in the course of civil law enforcement investigations and proceedings should be treated essentially the same as communications in the course of criminal enforcement. That conclusion is based on the strong similarity between criminal and civil law enforcement, the public interest in thorough law enforcement investigations, and several practical considerations, such as the fact that criminal and civil investigations often cannot be neatly separated.

Two organizations and one corporation commented or suggested that the rule should restrict communications during the investigative stage of a civil law enforcement matter. One organization stated that the stage prior to filing a complaint in a civil matter is "when most, if not all, prosecutorial discretion is exercised," and that "[c]orporate counsel must be informed if the Department of Justice desires to speak to current or former employees" at that stage. The other organization stated that investigatory communications should be prohibited where "lawyers for parties or witnesses not under indictment are in regular contact with the government" concerning "ongoing civil litigation."

The Department of Justice believes that the suggested restrictions on communications during the investigatory stage of a civil law enforcement matter should not be adopted, for essentially the same reasons set forth above with regard to proposed restrictions on communications during the investigatory stage of a criminal matter. The Department is, however, imposing restrictions in the United States Attorneys' Manual regarding certain types of investigatory communications, as set forth above.

10. Section 77.10: Civil Enforcement; General Rule; Litigative Stage

11. Section 77.11: Civil Enforcement; Exceptions; Litigative Stage

12. Section 77.12: Other Civil Matters

Comments relating to these sections are set forth in the preceding section regarding communications in the investigative stage of a civil law enforcement matter.

13. Section 77.13: Organizations and Employees

a. *Current Employees—The Controlling Individual Test.* Four corporations and one organization commented or suggested that the use of the "controlling individual" test was inappropriate, or that the definition of "controlling individual" was too narrow to provide sufficient protections for corporate defendants. This comment was formulated in a variety of different ways, with the following as illustrative examples: the definition of "controlling individual" represents an "intolerable narrowing of protections of critical importance to the corporation"; the definition is "far too narrow" and that "[f]or all practical purposes, a corporation would have *no* protection against traditionally forbidden communications with its employees after commencement of formal proceedings, whether civil or criminal"; and the "narrow definition" of excepted employees "effectively deprives corporate entities of the protections intended under [DR 7–104]."

One corporation stated that it employed "tens of thousands of individuals with varying levels of legal and business sophistication," that these individuals both possess information that would benefit the corporation's legal adversaries and that could bind the corporation as admissions, and that these employees "frequently require legal counsel in understanding the legal context in which their employer is operating or in which questioning will occur." Another corporation similarly stated that the proposed rule would deprive both employees and corporations who may be subject to civil or criminal sanctions of the advice of counsel.

One corporation stated that the "controlling individual" standard set forth in the rule "appears to provide organizations even less protection than the apparently less restrictive 'control group' test which has been rejected by most courts and bar associations as too restrictive." The corporation further stated that the "control group" test, which prohibits ex parte communications only with "those top management persons having responsibility for making final decisions or those with advisory roles such that final decisions are not made without reliance on their advice and opinions," presumably applies to more persons than the "controlling individual" test set forth in the rule, although even that test "has been attacked as nullifying the benefits of DR 7–104 to corporations." The corporation stated that the version

of the "alter ego" test set forth in the comment to ABA Model Rule 4.2 "provides the best guidance as to which persons within an organization are protected from ex parte communications," and that accordingly the Department of Justice should adopt that test.

Another corporation also suggested that the test set forth in the comment to ABA Model Rule 4.2 was the appropriate test to adopt.

One corporation stated that the rule "would permit a Department lawyer to contact a corporate division president to discuss his or her work while [the] head of a different division [was] under investigation or subject to an enforcement proceeding," as the former person would not fit within the definition of "controlling individual." The corporation further stated that the rule would appear to provide that "a Department lawyer can even send another person to contact the executive, without disclosing the purpose of the communication, to overcome any reluctance the executive might have to discuss company business with an outsider," and that this "amounts to denial of representation to that company, given the prospect that the employee may be gulled into making statements that will be claimed to be 'admissions' on behalf of the corporate defendant." The corporation stated that a definition of "controlling individual" that was "more consonant with the ABA rules, and much more reflective of the realities of how corporations conduct their work and protective of their right to counsel," would be to include "anyone who exercises or had exercised substantial discretion or control over the activities being investigated or litigated." The corporation further suggested that "a useful model might be found in the concept of 'substantial authority personnel' " set forth in Application Note 3(c) to Section 8A1.2 of the Sentencing Guidelines.

One corporation also commented generally that "[t]here is no evidence cited in the proposed rule preamble which suggests that government investigations have been impeded by the existing Professional Code in any significant manner justifying the radical undermining of the Code's obligations during government investigations included in the proposed rule." The corporation further stated that "[i]n the context of enhanced compliance programs" brought about by the Federal Sentencing Guidelines, "the Department's proposed rule suggests an unwarranted distrust of legitimate corporate enterprises in assisting rather than impeding the investigation of alleged violations."

These comments significantly overstate both the impact and the novelty of the rule, which directly incorporates the standard in effect in the District of Columbia. As a threshold matter, it should be clear that counsel for an organization should not enjoy complete control over the access of government investigators to employees of the organization. See *United States* v. *Western Electric Co.*, 1990–2 Trade Cas. (CCH) ¶ 69,148 (D.D.C. 1990) (a corporation "has no right to decide for its employees whether its interests are in conflict with theirs when the Department [of Justice] seeks their testimony in the course of an investigation of law violations"); *Wright by Wright* v. *Group Health Hospital*, 103 Wash.2d 192, 200, 691 P.2d 564,569 (1984) ("It is not the purpose of the rule to protect a corporate party from the revelation of prejudicial facts"). Such a rule would effectively preclude law enforcement investigations of corporations, or indeed of wholly criminal organizations. See *In re Criminal Investigation No. 13*, Md. App. 609, 616–17, 573 A.2d 51, 55 (1990).

There are very few reported criminal cases addressing the issue of the propriety of communications with organizational employees. In the civil context, the question of whether such communications are permissible has generated great confusion and a variety of different court and bar association opinions, often within the same jurisdiction. See generally Comment, "Ex Parte Communications with Corporate Parties: The Scope of the Limitations on Attorney Communications with One of Adverse Interest," 82 Nw. U.L. Rev. 1274 (1988) ("Comment"). With respect to current employees, courts have articulated at least four different tests to determine when communications are permissible, none of which has gained universal acceptance. *Id.*

These varying tests have been devised almost exclusively in the context of private civil litigation, and are based in part upon assumptions and considerations that are not directly adaptable to federal law enforcement. For example, the "alter ego" test, suggested by one commenter, permits communications with employees of organizations only if the employee does not have the power to bind the organization with respect to the matter underlying the representation. See, *e.g.*, *Niesig* v. *Team I*, 76 N.Y.2d 363, 374–76 & n.5, 559 N.Y.S.2d 493, 498, 558 N.E.2d 1030 (1990). The practical effect of the "alter ego" rule in most instances is to permit communications with low-level employees, but not with managerial employees.

Such distinctions, however, are not generally useful in federal law enforcement proceedings. Under federal law, criminal liability may be imputed to a corporation for the acts or omissions of any employee, no matter how menial. See, *e.g.*, *Standard Oil of Texas* v. *United States*, 307 F.2d 120, 127 (5th Cir. 1962) ("the corporation may be criminally bound by the acts of subordinate, even menial employees"); *United States* v. *Basic Construction Co.*, 711 F.2d 570, 572 (4th Cir.) (corporation criminally bound by acts "perpetrated by two relatively minor officials"), *cert. denied*, 464 U.S. 956 (1983); *United States* v. *Bank of New England, N.A.*, 821 F.2d 844, 855–57 (1st Cir. 1987) (acts of bank tellers), *cert. denied*, 484 U.S. 943 (1988); *United States* v. *T.I.M.E.–D.C., Inc.*, 381 F. Supp. 730, 738 (W.D. Va. 1974) (acts of truck drivers and dispatchers); *see also St. Johnsbury Trucking Co.* v. *United States*, 220 F.2d 393 (1st Cir. 1955) (acts of shipping clerk). In the civil context, low-level agents who act with apparent authority may bind the corporation for purposes of civil liability. See *American Society of Mechanical Engineers, Inc.* v. *Hydrolevel Corp.*, 456 U.S. 556, 565–68 (1982). Furthermore, the statements of any employee are binding as admissions against the organization in either a criminal or civil proceeding. Fed. R. Evid. 801(d)(2)(D). Accordingly, a federal standard that prohibited communications with employees whose statements could be attributed to the organization for purposes of imposing criminal or civil liability would simply have the effect of prohibiting all such communications.

These rules adopt a version of the "control group" test, in which communications with employees who are not within the control group of the corporation are not considered communications with the organization. See, *e.g.*, District of Columbia Rule of Professional Conduct 4.2, Comment 3; *Fair Automotive Repair, Inc.* v. *Car-X Service Systems, Inc.*, 128 Ill. App. 3d 763, 771, 471 N.E.2d 554, 560–61 (1984). Section 77.13(b) provides that a communication with a current employee shall be considered a communication with the organization only if the employee is a "controlling individual," as defined, and the controlling individual is not represented by separate counsel with respect to the subject matter of the communication.

The definition of "controlling individual" in the rule is derived from District of Columbia Rule of

Professional Conduct 4.2, Comment 3, which states that the rule "does not prohibit a lawyer from communicating with employees of an organization who have the authority to bind the organization with respect to the matters underlying the representation if they do not also have the authority to make binding decisions concerning the representation itself."

There is no evidence to suggest that the District of Columbia standard—which grants private attorneys the same ability to communicate with corporate employees that § 77.13(c) permits to government attorneys—has produced unfair or unjust results for corporations or corporate employees. Because section 77.13(c) is derived directly from that standard, the Department believes that the experience under the new section will prove to be similar. In order to bring § 77.13(c) more closely in line with the District of Columbia standard, the text of the section has been slightly modified.

The Department has carefully considered the suggestion that the definition of "controlling individual" be reformulated to follow the definition of "substantial authority personnel" set forth in Application Note 3(c) to section 8A1.2 of the Sentencing Guidelines. Under the Guidelines, "substantial authority personnel" means "individuals who within the scope of their authority exercise a substantial measure of discretion in acting on behalf of an organization." The Department believes that this definition is unduly broad for purposes of the rule governing communications with represented persons.

The comment that the rule may deprive corporate employees of the advice of counsel appears to be misplaced. Absent multiple representation, counsel for the corporation does not represent individual employees, and nothing in the rule is designed or intended to deter employees from obtaining their own counsel.

In order to prevent a government attorney from misleading an employee as to the nature of the communication, as suggested in one of the comments, Section 9–13.280 of the United States Attorneys' Manual requires that when a government attorney communicates overtly with a current employee of a corporation during the prosecutive or litigative stage pursuant to this section, the attorney must disclose to the employee his or her identity, the general purpose of the communication, and the fact that the United States has instituted criminal charges or civil law enforcement proceedings against the organization. See District of Columbia Rule of Professional Conduct 4.2, Comment 3.

b. *Former Employees.* One organization and one corporation commented regarding the treatment of former employees of organizations in the rule. The organization stated that "[f]ormer employees are included in the restriction of Model Rule 4.2 *if* their action or omission may be imputed to the corporation *or if* their statement may constitute an admission on the part of the corporation," and stated that the rule "steps back from this position to the detriment of all corporate parties." The corporation stated that the rule should restrict communications with former employees of a represented organization.

These comments erroneously suggest that the Department of Justice take a more restrictive approach than is currently required by the ABA or virtually any federal jurisdiction. In fact, the ABA Standing Committee on Ethics and Professional Responsibility has determined that the prohibition on communications with represented parties in Model Rule 4.2 (the successor to DR 7–104) does not extend to former employees of an opposing corporate party. Formal Opinion 91–359 (March 22, 1991) ("While the Committee recognizes that persuasive policy arguments can be and have been made for extending the ambit of Model Rule 4.2 to cover some former corporate employees, the fact remains that the text of the Rule does not do so and the comment gives no basis for concluding that such coverage was intended"). See *United States* v. *Western Electric Co.*, 1990–2 Trade Cas. (CCH) ¶ 69,148 (D.D.C. 1990) (the claim that former employees were represented by corporate counsel was a "bald attempt by the company to shield itself and its management from investigation of possible wrongdoing"); *Hanntz* v. *Shiley, Inc.*, 766 F. Supp 258 (D.N.J. 1991) (collecting cases); *Shearson Lehman Bros., Inc.* v. *Wasatch Bank*, 139 F.R.D. 412, 418 (D. Utah 1991); *Action Air Freight, Inc.* v. *Pilot Air Freight Corp.*, 769 F. Supp. 899, 903–04 (E.D. Pa. 1991); *Sherrod* v. *Furniture Center*, 769 F. Supp. 1021, 1022 (W.D. Tenn. 1991); *Dubois* v. *Gradco Systems, Inc.*, 136 F.R.D. 341, 345–46 (D. Conn. 1991); *Curley* v. *Cumberland Farms, Inc.*, 134 F.R.D. 77, 82–83 (D.N.J. 1991); *Polycast Technology Corp.* v. *Uniroyal, Inc.*, 129 F.R.D. 621, 628 (Mag., S.D.N.Y. 1990); *Amarin Plastics, Inc.* v. *Maryland Cup Corp.*, 116 F.R.D. 36, 40–41 (D. Mass. 1987); *Porter* v. *Arco Metals Co.*, 642 F. Supp. 1116, 1118 (D. Mont. 1986); *Wright by Wright* v. *Group Health Hospital*, 103 Wash.2d 192, 201, 691 P.2d 564, 569 (1984).

These rules adopt an approach similar to that of the ABA Standing Committee. Communications with former employees are generally permitted under the rules, regardless of whether the communication occurs before or after indictment of, or the filing of formal civil proceedings against, the organization that formerly employed them.

c. *Multiple Representation.* One corporation commented that "[r]epresentation by counsel can include representation of a corporate employee by counsel representing the corporation," and that "the government attorney's belief that there is a conflict of interest should not excuse ex parte contacts." The corporation further stated that joint representation of employer and employee "is permissible, absent actual conflict," and that it is "for a court to decide whether a conflict renders joint representation unethical," not the government.

This comment misconceives the intent of the rules with regard to multiple representation. These rules are not intended to affect the ethical rules governing multiple representation of corporate employees, or the procedural mechanisms by which apparent conflicts of interest arising out of multiple representation are examined by the court. See Fed. R. Crim. P. 44(c). Government attorneys confronted with multiple representation issues will be required to follow established procedures for resolving them, including, where appropriate, motions to disqualify counsel.

d. *Impact on Compliance Programs.* One corporation commented that its in-house attorneys are engaged actively in promoting compliance with federal laws and regulations, that these "compliance efforts hinge in part on the development of a relationship of confidence and trust between corporate employees and the corporation's attorneys, and that the rule "could well undermine this relationship and partially undermine, as well, effective compliance programs" pursuant to the Sentencing Guidelines.

The Department of Justice believes that this comment misstates the impact of the proposed rule. There does not appear to be a clear connection between the effectiveness of corporate compliance programs and the ability of government investigators to communicate with corporate employees. Furthermore, it does not appear that an appropriate way to enhance or fortify such compliance programs is to require that employees may not communicate

with the government except in the presence of counsel for the corporation.

14. Section 77.14: Parallel Investigations and Proceedings

The Department of Justice received no specific comments regarding this section.

15. Section 77.15: Enforcement of Rules

One individual commented that the rule should contain a provision for exclusion of inappropriately obtained information, and that the rule should define the rights of suspects or the accused rather than merely defining the rights of the prosecutors.

Traditionally, matters relating to communications with represented persons have been treated as matters of attorney discipline, without granting substantive rights to defendants or any other persons. See, *e.g.*, ABA Code of Professional Responsibility, Preliminary Statement; ABA Model Rules of Professional Conduct, Scope; see *generally* Johnson, "The Impact of Disciplinary Rule 7–104 on Law Enforcement Contact with Represented Persons," 40 U. Kan. L. Rev. 63, 168–71 (1992). These rules adopt a similar scheme, by providing that potential violations should be investigated by the Department's Office of Professional Responsibility and addressed where appropriate as matters of attorney discipline. See 28 CFR 0.39 (establishing and defining duties of OPR). Threats of censure, discipline, and loss of employment are more than adequate deterrents against violations of the rules, and exclusion of relevant evidence (or dismissal of indictments or complaints) obtained in violation of these rules would confer an enormous windfall upon a criminal or civil defendant with little, if any, additional deterrent effect. Of course, where the communication with a represented person rises to the level of a constitutional violation, such as the Sixth Amendment right to counsel, the courts retain the power to fashion appropriate remedies, including the exclusion of evidence or dismissal of charges where appropriate. See *Massiah* v. *United States*, 377 U.S. 201 (1964).

One organization commented that the Department of Justice "has shown itself to be incapable of policing itself," and that "[t]he most flagrant and egregious prosecutorial misconduct rarely results in disciplinary proceedings, or punishment." The Department of Justice respectfully submits that this comment is inaccurate and unwarranted, and not an appropriate basis to require the imposition of an exclusionary rule.

16. Section 77.16: Relationship to State and Local Regulation

Comments relating to this section are addressed in the General Comments section above.

III. Certifications

In accordance with 5 U.S.C. 605(b), the Attorney General certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule is not a major rule within the meaning of section 1(b) of Executive Order 12291. In light of the Attorney General's longstanding policy of regulating the conduct of Department of Justice employees, this rule does not have federalism implications warranting the preparation of a Federalism Assessment in accordance with section 6 of Executive Order 12612.

List of Subjects in 28 CFR Part 77

Government employees, Investigations, Law enforcement, Lawyers.

Accordingly, chapter I of title 28 of the Code of Federal Regulations is proposed to be amended by adding a new part 77 to read as follows:

PART 77—COMMUNICATIONS WITH REPRESENTED PERSONS

Sec.

77.1 Purpose and authority.
77.2 Definitions.
77.3 Represented person.
77.4 Constitutional and other limitations.
77.5 Criminal enforcement; general rule; investigative stage.
77.6 Criminal enforcement; general rule; prosecutive stage.
77.7 Criminal enforcement; exceptions; prosecutive stage.
77.8 Criminal enforcement; restrictions; prosecutive stage.
77.9 Civil enforcement; general rule; investigative stage.
77.10 Civil enforcement; general rule; litigative stage.
77.11 Civil enforcement; exceptions; litigative stage.
77.12 Other civil matters.
77.13 Organizations and employees.
77.14 Parallel investigations and proceedings.
77.15 Enforcement of rules.
77.16 Relationship to state and local regulation.

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515(a), 516, 519, 533, 547.

§ 77.1 Purpose and authority.

The purpose of this part is to provide a comprehensive, clear, and uniform set of rules governing the circumstances under which Department of Justice attorneys may communicate with persons known to be represented by counsel in the course of law enforcement investigations and proceedings. This part is issued under the authority of the Attorney General to prescribe regulations for the government of the Department of Justice, the conduct of its employees, and the performance of its business, pursuant to 5 U.S.C. 301; to direct officers of the Department of Justice to secure evidence and conduct litigation, pursuant to 28 U.S.C. 516; to direct officers of the Department to conduct grant jury proceedings and other civil and criminal legal proceedings, pursuant to 28 U.S.C. 515(a); to supervise litigation and to direct Department officers in the discharge of their duties, pursuant to 28 U.S.C. 519; and otherwise to direct Department officers to detect and prosecute crimes, to prosecute offenses against the United States, to prosecute civil actions, suits, and proceedings in which the United States is concerned, and to perform such other functions as may be provided by law, pursuant to 28 U.S.C. 509, 510, 533, and 547.

§ 77.2 Definitions.

As used in this part, the following terms shall have the following meanings, unless the context indicates otherwise:

(a) *Attorney for the government* means the Attorney General; the Deputy Attorney General; the Associate Attorney General; the Solicitor General; the Assistant Attorneys General for, and any attorney employed in, the Antitrust Division, Civil Division, Civil Rights Division, Criminal Division, Environment and Natural Resources Division, or Tax Division; any United States Attorney; any Assistant United States Attorney; any Special Assistant to the Attorney General or Special Attorney duly appointed pursuant to 28 U.S.C. 515; any Special Assistant United States Attorney duly appointed pursuant to 28 U.S.C. 543 who is authorized to conduct criminal or civil law enforcement investigations or proceedings on behalf of the United States; or any other attorney employed by the Department of Justice who is authorized to conduct criminal or civil law enforcement investigations or proceedings on behalf of the United States.

(b) *Person* means any individual or organization.

(c) *Organization* means any corporation, partnership, association, joint-stock company, union, trust, pension fund, unincorporated organization, state or local government or political subdivision thereof, or non-profit organization.

(d) *Employee* means any employee, officer, director, partner, member, or trustee.

(e) *Cooperating witness* means any person, other than a law enforcement agent, who is acting as an agent for the government in an undercover or confidential capacity.

(f) *Civil law enforcement proceeding* means: (1) A civil action or proceeding before any court or other tribunal brought by the United States under its police or regulatory powers to enforce its laws, including, but not limited to, civil actions or proceedings brought to enforce the laws relating to:

(i) Antitrust;

(ii) Banking and financial institution regulation;

(iii) Bribery, kickbacks, and corruption;

(iv) Civil rights;

(v) Consumer protection;

(vi) Environment and natural resource protection;

(vii) False claims against the United States;

(viii) Food, drugs, and cosmetics regulation;

(ix) Forfeiture of property;

(x) Fraud;

(xi) Internal revenue;

(xii) Occupational safety and health; or

(xiii) Securities regulation.

(2) The term "civil law enforcement proceeding" shall not include proceedings related to the enforcement of an administrative subpoena or summons or a civil investigative demand. An action or proceeding shall be considered "brought by the United States" if it involves a claim asserted by the Department of Justice on behalf of the United States, whether the claim is asserted by complaint, counterclaim, cross-claim, or otherwise.

(g) *Civil law enforcement investigation* means an investigation of possible civil violations of or claims under federal law that may form the basis for a civil law enforcement proceeding.

§ 77.3 Represented person.

(a) A person shall be considered a "represented person" within the meaning of this part only if all three of the following circumstances exist:

(1) The person has retained counsel, or accepted counsel by appointment;

(2) The representation concerns the subject matter in question; and

(3) The attorney for the government knows that the person is represented by counsel concerning the subject matter.

(b) Nothing in this part is intended to or shall be construed to permit any purported legal representation undertaken for the purpose of facilitating the commission or concealment of a crime or fraud.

§ 77.4 Constitutional and other limitations.

Notwithstanding any other provision of this part, any communication that is prohibited by the Sixth Amendment right to counsel or by any other provision of the United States Constitution or by any federal statute or Federal Rule of Criminal or Civil Procedure shall be likewise prohibited by this part.

§ 77.5 Criminal enforcement; general rule; investigative stage.

An attorney for the government may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation if:

(a) The communication—(1) Is made in the course of an investigation, whether undercover or overt, of possible criminal activity; and

(2) Occurs prior to the attachment of the Sixth Amendment right to counsel with respect to charges against the represented person arising out of the criminal activity that is the subject of the investigation; or

(b) The communication is otherwise permitted by law.

§ 77.6 Criminal enforcement; general rule; prosecutive stage.

An attorney for the government may not communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the attachment of the Sixth Amendment right to counsel of the represented person, except as provide herein or as otherwise permitted by law.

§ 77.7 Criminal enforcement; exceptions; prosecutive stage.

An attorney for the government may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the attachment of the Sixth Amendment right to counsel of the represented person if one or more of the following circumstances exist:

(a) *Consent.* Counsel for the represented person has been given prior notice of the communication and consents to the communication.

(b) *Determination if representation exists.* The purpose of the communication is to determine if the person is in fact represented by counsel; provided, however, that further communication is permitted only if the person indicates that he or she is not represented or the communication is otherwise permitted under this part.

(c) *Discovery or judicial or administrative process.* The communication is made pursuant to discovery procedures or judicial or administrative process, including but not limited to the service of a grand jury or trial subpoena.

(d) *Investigation of new or additional crimes.* The communication is made in the course of an investigation, whether undercover or overt, of new or additional criminal activity as to which the Sixth Amendment right to counsel has not attached; provided, however, that the restrictions set forth in § 77.8 are observed. Such new or additional criminal activity may include, but is not limited to:

(1) New or additional criminal activity that is separate from the criminal activity that is the subject of pending criminal charges;

(2) New or additional criminal activity that is intended to impede or evade the administration of justice as to pending criminal charges, such as obstruction of justice, subornation of perjury, jury tampering, murder, assault or intimidation of witnesses, bail jumping, or unlawful flight to avoid prosecution; and

(3) New or additional criminal activity that represents a continuation after indictment of criminal activity that is the subject of pending criminal charges, such as the continuation of a conspiracy or a scheme to defraud after indictment.

(e) *Initiation of communication by represented person; overt communications.* The represented person initiates the communication directly with the attorney for the government, or indirectly through a person known to the represented person to be a law enforcement agent; provided, however, that prior to engaging in substantive discussions concerning the subject matter of charges as to which the Sixth Amendment right to counsel has attached, either of the following circumstances must have occurred:

(1) The represented person has knowingly, intelligently, and voluntarily waived the presence of counsel; or

(2) The represented person has obtained substitute counsel, and substitute counsel has consented to the communication or the communication is otherwise permitted under this part.

(f) *Initiation of communication by represented person; undercover communications.* The represented person initiates the communication with an undercover law enforcement agent or a cooperating witness; provided, however, that the restrictions set forth in § 77.9 are observed.

(g) *Imminent threat to safety or life.* The attorney for the government reasonably believes that there is an imminent threat to the safety or life of any person; the purpose of the communication is to obtain information to protect against the risk of serious injury or death; and the communication is reasonably necessary to protect against such risk.

§ 77.8 Criminal enforcement; restrictions; prosecutive stage.

When an attorney for the government communicates, or causes a law enforcement agent or cooperating witness to communicate, with a represented person after the attachment of the Sixth Amendment right to counsel pursuant to one or both of the exceptions set forth in §§ 77.7(d) or (f), the following restrictions must be observed:

(a) *Deliberate elicitation.* An attorney for the government, law enforcement agent, or cooperating witness may not deliberately elicit incriminating information from the represented person concerning the pending criminal charges.

(b) *Attorney-client meetings.* An undercover law enforcement agent or cooperating witness may not attend or participate in attorney-client meetings or communications concerning the lawful defense of the pending criminal charges, except when requested to do so by the defendant, defense counsel, or another person affiliated or associated with the defense, and when reasonably necessary to protect the safety of the agent or witness or the confidentiality of an undercover operation. If the agent or witness attends or participates in such meetings, any information regarding lawful defense strategy or trial preparation imparted to the agent or witness shall not be communicated to attorneys for the government or to law enforcement agents who are participating in the prosecution of the pending criminal charges, or used in any other way to the substantial detriment of the defendant.

§ 77.9 Civil enforcement; general rule; investigative stage.

An attorney for the government may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation if:

(a) The communication—(1) Is made in the course of a civil law enforcement investigation, whether undercover or overt; and

(2) Occurs prior to the time the United States commences a civil law enforcement proceeding against the represented person arising out of the violations that are the subject of the investigation; or

(b) The communication is otherwise permitted by law.

§ 77.10 Civil enforcement; general rule; litigative stage.

An attorney for the government may not communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the commencement of a civil law enforcement proceeding by the United States against the represented person, except as provided herein or as otherwise permitted by law.

§ 77.11 Civil enforcement; exceptions; litigative stage.

An attorney for the government may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the commencement of a civil law enforcement proceeding by the United States against the represented person if one or more of the following circumstances exist:

(a) *Consent.* Counsel for the represented person has been given prior notice of the communication and consents to the communication.

(b) *Determination if representation exists.* The purpose of the communication is to determine if the person is in fact represented by counsel; provided, however, that further communication is permitted only if the person indicates that he or she is not represented or the communication is otherwise permitted under this part.

(c) *Discovery or judicial or administrative process.* The communication is made pursuant to discovery procedures or judicial or administrative process, including but not limited to the service of a summons and complaint, a notice of deposition, a deposition or trial subpoena, or an administrative summons or subpoena.

(d) *Investigation of new or additional civil violations.* The communication is made in the course of a civil law enforcement investigation of new or additional violations of federal law as to which the United States has not commenced a civil law enforcement proceeding; provided, however, that the attorney for the government may not deliberately elicit, or cause to be elicited, admissions from the represented person concerning the pending civil law enforcement proceeding during the communication.

(e) *Initiation of communication by represented person; overt communications.* The represented person initiates the communication directly with the attorney for the government, or indirectly through a person known to the represented person to be law enforcement agent; provided, however, that prior to engaging in substantive discussions concerning the subject matter of a pending civil law enforcement proceeding, either of the following circumstances must have occurred:

(1) The represented person has knowingly, intelligently, and voluntarily waived the presence of counsel; or

(2) The represented person has obtained substitute counsel, and substitute counsel has consented to the communication or the communication is otherwise permitted under these rules.

(f) *Initiation of communication by represented person; undercover communications.* The represented person initiates the communication with a cooperating witness; provided, however, that the cooperating witness may not deliberately elicit admissions from the represented person concerning the pending civil law enforcement proceeding.

(g) *Imminent threat to safety or life.* The attorney for the government reasonably believes that there is an imminent threat to the safety or life of any person; the purpose of the communication is to obtain information to protect against the risk of serious injury or death; and the communication is reasonably necessary to protect against such risk.

§ 77.12 Other civil matters.

Nothing in this part is intended or shall be construed to limit the right or ability of attorneys for the government, when conducting civil investigations or proceedings not involving civil law enforcement, to communicate with represented persons when otherwise permitted by law.

§ 77.13 Organizations and employees.

This section applies when the communication involves a former or current employee of an organization, and the subject matter of the communication relates to the business or affairs of the organization.

(a) *Communications with former employees; organizational representation.* A communication with a former employee of an organization which is represented by counsel shall not be considered to be a communication with the organization for purposes of this part.

(b) *Communications with current employees; organizational representation.* (1) A communication with a current employee of an organization which is represented by counsel shall be considered to be a communication with the organization for purposes of these rules only if:

(i) The employee is a controlling individual, as defined in § 77.13(c); and

(ii) Such controlling individual is not represented by separate counsel with respect to the subject matter of the communication.

(2) Nothing in this section is intended or shall be construed to prohibit communications with a current employee of an organization that are otherwise permitted under this part.

(c) *Definition; controlling individual.* For purposes of this part, a "controlling individual" is a current employee who has the authority to make binding decisions concerning the representation of the organization by counsel.

(d) *Communications with former or current employees; individual representation.* A communication with a former or current employee of an organization who is individually represented by counsel may occur only to the extent otherwise permitted by this part.

(e) *Initiation of communication by unrepresented controlling individual.* Notwithstanding any other provision of this part, an attorney for the government may communicate with a controlling individual who is not individually represented as to the subject matter of the communication when the controlling individual initiates the communication.

(f) *Multiple representation.* Nothing in this section is intended or shall be construed to affect the requirements of Rule 44(c) of the Federal Rules of Criminal Procedure (28 U.S.C. Appendix), or to permit the multiple representation of an organization and any of its employees, or the multiple representation of more than one such employee, if such representation is prohibited by any applicable law or rule of attorney ethics.

§ 77.14 Parallel investigations and proceedings.

(a) *Criminal enforcement communications during pending civil law enforcement proceedings.* An attorney for the government who is participating in a criminal investigation or proceeding may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the commencement of a civil law enforcement proceeding by the United States against the represented person if the communication is permitted under §§ 77.5 or 77.7.

(b) *Civil law enforcement communications during pending criminal enforcement proceedings.* An attorney for the government is participating in a civil law enforcement investigation or proceeding may communicate, or cause another to communicate, with a represented person concerning the subject matter of the representation after the attachment of the Sixth Amendment right to counsel of the represented person if the communication is permitted under §§ 77.9 or 77.11 and:

(1) The communication does not involve the subject matter of the pending criminal charges; or

(2) The communication involves the subject matter of the pending criminal charges, and one or more of the following circumstances exist:

(i) Counsel for the represented person in the pending criminal proceeding has been given prior notice of the communication and consents to the communication;

(ii) The communication is made pursuant to discovery procedures or judicial or administrative process; or

(iii) An attorney for the government who is participating in the prosecution of the pending criminal proceeding takes part in, directs, supervises, or approves the communication, and the communication is permitted in the criminal proceeding under § 77.7.

§ 77.15 Enforcement of rules.

Allegations of violations of this part shall be investigated by the Office of Professional Responsibility of the Department of Justice, and shall be addressed where appropriate as matters of attorney discipline by the Department. This part is not intended to and do not create substantive rights on behalf of criminal or civil defendants, targets or subjects of investigations, witnesses, counsel for represented persons, or any other person other than an attorney for the government, and shall not be a basis for dismissing criminal or civil charges or proceedings against represented persons or for excluding relevant evidence in any proceeding in any court of the United States.

§ 77.16 Relationship to state and local regulation.

Communications with represented persons pursuant to this part are intended to constitute communications that are "authorized by law" within the meaning of Rule 4.2 of the American Bar Association Model Rules of Professional Conduct, DR 7–104(A)(1) of the ABA Code of Professional Responsibility, and analogous state and local federal court rules. (Copies of the ABA Model Rule are available through Order Fulfillment Office, American Bar Association, 750 North Lake Shore Drive, Chicago, IL 60611.) This part is further intended to govern the conduct of attorneys for the government in the discharge of their duties to the extent that state and local laws or rules are inconsistent with this part.

Dated: July 14, 1993.

Janet Reno,

Attorney General.

[FR Doc. 93–17270 Filed 7–23–93; 8:45 am]

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federal register

Monday
July 26, 1993

Part IV

Office of Management and Budget

Cost Principles for Educational Institutions; Final revision of Circular A-21; Notice

OFFICE OF MANAGEMENT AND BUDGET

Cost Principles for Educational Institutions

AGENCY: Office of Management and Budget.

ACTION: Final revisions to Circular A–21.

SUMMARY: This revision implements the Office of Management and Budget's (OMB's) previously stated intention to revise Circular A–21, "Cost Principles for Educational Institutions."

DATES: The revisions to the Circular shall be implemented for the establishment of indirect cost rates for all fiscal years beginning on or after January 1, 1994. Earlier implementation is encouraged.

FOR FURTHER INFORMATION CONTACT: Jack Sheehan, Financial Standards and Reporting Branch, Office of Federal Financial Management, Office of Management and Budget (telephone: 202–395–3993).

SUPPLEMENTARY INFORMATION:

A. Background

A notice was published in the **Federal Register** on December 9, 1992 (57 FR 58394) requesting comments on proposed revisions to OMB Circular A–21, "Cost Principles for Educational Institutions."

Interested parties were invited to submit comments. Over 150 comments were received from Federal agencies, universities, professional organizations and others. All comments were considered in developing this final revision.

The following section presents a summary of the major comments, grouped by subject, and a response to each comment, including a description of changes made as a result of the comment. Other changes have been made to increase clarity and readability.

B. Comments and Responses

University Research

Comment: Many commenters suggested replacing "or" with "and" in the phrase "budgeted or accounted" for clarification.

Response: The phrase has been modified as recommended.

Comment: Several commenters objected to the inclusion of university research in the definition of organized research.

Response: The proposed redefinition has not been changed. University supported research is normally performed in the same environment and benefits from the same support activities as does sponsored research and therefore should be included as a part of organized research.

Depreciation and Use Allowances

Comment: A number of commenters objected to the proposed allocation methods to be used in allocating expenses for jointly used space given the proposed elimination of the predominant use concept.

Response: The proposed language has been modified to allow more discrete costing of jointly used space, and the predominant use concept has been eliminated.

Departmental Administration Expenses

Comments: Numerous commenters objected to the proposal based on the perception that it required that clerical and administrative staff be charged indirectly in all cases. The commenters particularly objected to charging these expenses indirectly on major projects.

Response: The proposal was amended to permit direct charging of these expenses in certain circumstances.

The Distribution Basis

Comment: A number of commenters objected to the proposed definition of modified total direct costs because the proposed list of exclusions did not allow for exceptions.

Response: The proposed language has been clarified and expanded to allow for exceptions where a significant inequity would result.

Predetermined Rates

Comment: A number of commenters requested clarification on when the use of provisional rates or fixed rates and carry-forward provisions would be appropriate.

Response: The proposed language was revised to clarify the issue.

Comment: Several commenters requested clarification regarding the proposed language concerning the definition and use of provisional indirect cost rates.

Response: The proposed language has been expanded to more clearly depict provisional and final rates and the associated administrative processes.

Fringe Benefits

Comments: A number of commenters perceived that the proposed language would require the development of multiple fringe benefit rates.

Response: The Circular has always required the development of separate fringe benefit rates where benefits for varying classes of employees vary significantly.

Comment: Institutions that are currently charging tuition remission through an employee fringe benefit rate commented that inequities might arise during the conversion period to direct charging of tuition remission.

Response: For those institutions which currently charge tuition remission through the fringe benefit rate, the cognizant agencies are permitted to adjust the distribution base to preclude inequities during the conversion period to direct charging of tuition remission.

Insurance and Indemnification

Comment: Several commenters objected to charging these costs directly and to the manner proposed for the assignment of these costs.

Response: OMB believes these costs should be directly charged. The proposed procedure for assigning these costs has been changed to allow for a more accurate assignment of these costs based on the individual circumstances.

Tuition Remission

Comment: A number of comments received concerning the proposed phase-in period for the direct charging of tuition remission.

Response: With respect to institutions that currently are authorized to finance tuition remission for graduate research assistants through the institution-wide fringe-benefit pool, that authorization will expire on September 30, 1997. Effective with the date of issuance of this revision of Circular A–21, all proposals that include budget periods beginning after September 30, 1997, and that request funds for tuition expenses for research assistants for one or more of the budget periods beginning after September 30, 1997, must treat the proposed tuition expenses for those budget periods as a direct cost in accordance with Section J.41.b of Circular A–21. In such cases, appropriate adjustments will be taken into account when establishing applicable indirect cost and fringe benefit rates for periods covering the fiscal years involved.

Other Items

Finalization of proposals to revise *Equipment and other capital expenditures* and *Sabbatical leave costs* have been deferred pending further study and data analysis.

C. Additional Information

Adoption of the Cost Accounting Standards Board's Rules

The Cost Accounting Standards Board (CASB) has published three **Federal Register** (FR) Notices requesting public comments from interested parties concerning the proposed application of

the Board's rules, regulations and Standards to educational institutions, i.e., a Staff Discussion Paper on October 8, 1991 (56 FR 50737), an Advance Notice of Proposed Rulemaking on June 2, 1992 (57 FR 23189), and a Notice of Proposed Rulemaking on December 21, 1992 (57 FR 60503).

The CASB is now preparing a final rule to apply certain Cost Accounting Standards (CAS) to educational institutions receiving negotiated contract awards in excess of $500,000. In addition, the Board's final rule will require major recipients of Federal research funds to formally disclose their cost accounting practices. The filing of required Disclosure Statements will be phased-in during a special transition period.

OMB is aware that a number of commenters recommended that a single rule be established to implement the Board's requirements. Such commenters believed that two sets of rules, i.e., Circular A–21 and CAS rules, may result in potential conflicts and thereby unnecessarily increase administrative costs. The Board under its independent rulemaking authority has concluded that the Board's rules must be promulgated independently.

However, in developing the unique CAS provisions for application to educational institutions, the Board proceeded with the understanding that its rules would be incorporated in the Circular. The Board's objective was to establish provisions that would, once incorporated in Circular A–21, result in greater consistency and uniformity in the cost accounting practices followed by educational institutions under all Federal awards.

Consistent with the Board's stated expectations, OMB plans, in the near future, to extend the CASB's regulations and Standards applicable to educational institutions to all awards (contracts and grants) made to institutions that are major recipients of Federal research funds.

John B. Arthur,

Assistant Director for Administration.

Circular No. A–21, Revised Transmittal Memorandum No. 5

To the Heads of Executive Departments and Establishments: *Subject:* Cost Principles for Educational Institutions.

This transmittal memorandum revises OMB Circular No. A–21, "Cost Principles for Educational Institutions." This revision further clarifies and standardizes the Circular's principles for determining costs applicable to grants, contracts, and other agreements with educational institutions.

The revisions to the Circular shall be implemented with the establishment of indirect cost rates for all fiscal years beginning on or after January 1, 1994. Earlier implementation is encouraged.

Leon E. Panetta,

Director.

The following are revisions to Sections B, C, D, F, G, H, and J of the Attachment to Circular A–21:

1. Section B.1.b.(2) *University Research* is revised to read as follows:

(2) *University research* means all research and development activities that are separately budgeted and accounted for by the institution under an internal application of institutional funds. University research, for purposes of this document, shall be combined with sponsored research under the function of organized research.

2. A new subsection d. is added to Section C.4. *Allocable costs* to read as follows:

d. *Allocation and documentation standard.* (1) *Cost principles.* The recipient institution is responsible for ensuring that costs charged to a sponsored agreement are allowable, allocable, and reasonable under these cost principles.

(2) *Internal controls.* The institution's financial management system shall ensure that no one person has complete control over all aspects of a financial transaction.

(3) *Direct cost allocation principles.* If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost should be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then, notwithstanding subsection C.4.b., the costs may be allocated or transferred to benefitted projects on any reasonable basis, consistent with d.(1) and (2).

(4) *Documentation.* Federal requirements for documentation are specified in this Circular, Circular A–110, and specific agency policies on cost transfers. If the institution authorizes the principal investigator or other individual to have primary responsibility, given the requirements of d.(2), for the management of sponsored agreement funds, then the institution's documentation requirements for the actions of those individuals (e.g., signature or initials of the principal investigator or designee or use of a password) will normally be considered sufficient.

3. Section D.1. *Direct costs—General* is revised to read as follows:

1. *General.* Direct costs are those costs that can be identified specifically with a particular sponsored project, an instructional activity, or any other institutional activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs. Where an institution treats a particular type of cost as a direct cost of sponsored agreements, all costs incurred for the same purpose in like circumstances shall be treated as direct costs of all activities of the institution.

4. A new Section F.1. *Definition of Facilities and Administration* is added to read as follows:

1. *Definition of Facilities and Administration.* Indirect costs are classified within two broad categories: "Facilities" and "Administration." "Facilities" is defined as depreciation and use allowances, interest on debt associated with certain buildings, equipment and capital improvements, operations and maintenance expenses, and library expenses. "Administration" is defined as general administration and general expenses; departmental administration; sponsored projects administration; student administration and services; and all other types of expenditures not listed specifically under one of the subcategories of Facilities (including cross allocations from other pools).

5. Previously numbered Section F.1. *Depreciation and use allowances* is renumbered F.2. and revised to read as follows:

2. *Depreciation and use allowances.* a. The expenses under this heading are the portion of the costs of the institution's buildings, capital improvements to land and buildings, and equipment which are computed in accordance with Section J.12.

b. In the absence of the alternatives provided for in Section E.2.d., the expenses included in this category shall be allocated in the following manner:

(1) Depreciation or use allowances on buildings used exclusively in the conduct of a single function, and on capital improvements and equipment used in such buildings, shall be assigned to that function.

(2) Depreciation or use allowances on buildings used for more than one function, and on capital improvements and equipment used in such buildings, shall be allocated to the individual functions performed in each building on the basis of usable square feet of space, excluding common areas such as hallways, stairwells, and rest rooms.

(3) Depreciation or use allowances on buildings, capital improvements and equipment related to space (e.g., individual rooms, laboratories) used jointly by more than one function (as determined by the users of the space) shall be treated as follows. The cost of each jointly used unit of space shall be allocated to the benefiting functions on the basis of:

(a) the employee FTEs or salaries and wages of those individual functions benefiting from the use of that space; or

(b) institution-wide employee FTEs or salaries and wages applicable to the benefiting Major Functions (see B.1) of the institution.

(4) Depreciation or use allowances on certain capital improvements to land, such as paved parking areas, fences, sidewalks, and the like, not included in the cost of buildings, shall be allocated to user categories of students and employees on a full-time equivalent basis. The amount allocated to the student category shall be assigned to the instruction function of the institution. The amount allocated to the employee category shall be further allocated to the major functions of the institution in proportion to

the salaries and wages of all employees applicable to those functions.

6. Previously numbered Section F.2. *Operation and maintenance expenses* is renumbered F.4. and revised to read as follows:

4. *Operation and maintenance expenses.* a. The expenses under this heading are those that have been incurred for the administration, supervision, operation, maintenance, preservation, and protection of the institution's physical plant. They include expenses normally incurred for such items as janitorial and utility services; repairs and ordinary or normal alterations of buildings, furniture and equipment; care of grounds; maintenance and operation of buildings and other plant facilities; security; earthquake and disaster preparedness; environmental safety; hazardous waste disposal; property, liability and all other insurance relating to property; space and capital leasing; facility planning and management; and, central receiving. The operation and maintenance expense category should also include its allocable share of fringe benefit costs, depreciation and use allowances, and interest costs.

b. In the absence of the alternatives provided for in Section E.2.d., the expenses included in this category shall be allocated in the same manner as described in Section F.2.b. for depreciation and use allowances.

7. A new Section F.3. *Interest* is added to read as follows:

3. *Interest.* Interest on debt associated with certain buildings, equipment and capital improvements, as defined in Section J.22.e., shall be classified as an expenditure under the category Facilities. These costs shall be allocated in the same manner as the depreciation or use allowances on the buildings, equipment and capital improvements to which the interest relates.

8. Previously numbered Section F.3. *General administration and general expenses* is renumbered F.5. and revised to read as follows:

5. *General administration and general expenses.* a. The expenses under this heading are those that have been incurred for the general executive and administrative offices of educational institutions and other expense of a general character which do not relate solely to any major function of the institution, i.e., solely to (1) instruction, (2) organized research, (3) other sponsored activities, or (4) other institutional activities. The general administration and general expense category should also include its allocable share of fringe benefit costs, operation and maintenance expense, depreciation and use allowances, and interest costs. Examples of general administration and general expenses include: those expenses incurred by administrative offices that serve the entire university system of which the institution is a part; central offices of the institution such as the President's or Chancellor's office, the offices for institution-wide financial management, business services, budget and planning, personnel management, and safety and risk management; the office of the General Counsel, and, the operations of the central administrative management information systems. General administration and general expenses shall not include expenses incurred within non-university-wide deans' offices, academic departments, organized research units, or similar organizational units. (See Section F.6., Departmental administration expenses.)

b. In the absence of the alternatives provided for in Section E.2.d., the expenses included in this category shall be grouped first according to common major functions of the institution to which they render services or provide benefits. The aggregate expenses of each group shall then be allocated to serviced or benefitted functions on the modified total cost basis. Modified total costs consist of the same cost elements as those in Section G.2. When an activity included in this indirect cost category provides a service or product to another institution or organization, an appropriate adjustment must be made to either the expenses or the basis of allocation or both, to assure a proper allocation of costs.

9. Previously numbered Section F.4. *Departmental administration expenses* is renumbered F.6. and previously numbered subsection b. is renumbered c. and a new subsection b. is added to read as follows:

6. *Departmental administration expenses.*

b. In developing the departmental administration cost pool, special care should be exercised to ensure that costs incurred for the same purpose in like circumstances are treated consistently as either direct or indirect costs. For example, salaries of technical staff, laboratory supplies (e.g., chemicals), telephone toll charges, animals, animal care costs, computer costs, travel costs, and specialized shop costs shall be treated as direct cost wherever identifiable to a particular cost objective. Direct charging of these costs may be accomplished through specific identification of individual costs to benefiting cost objectives, or through recharge centers or specialized service facilities, as appropriate under the circumstances. The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate where a major project or activity explicitly budgets for administrative or clerical services and individuals involved can be specifically identified with the project or activity. Items such as office supplies, postage, local telephone costs, and memberships shall normally be treated as indirect costs.

c. In the absence of the alternatives provided for in Section E.2.d., the expenses included in this category shall be allocated as follows:

(1) The administrative expenses of the dean's office of each college and school shall be allocated to the academic departments within that college or school on the modified total cost basis.

(2) The administrative expenses of each academic department, and the department's share of the expenses allocated in (1) shall be allocated to the appropriate functions of the department on the modified total cost basis.

10. Section G.2. *The distribution basis* is revised to read as follows:

2. *The distribution basis.* Indirect costs shall be distributed to applicable sponsored agreements and other benefiting activities within each Major Function (see B.1) on the basis of modified total direct costs, consisting of all salaries and wages, fringe benefits, materials and supplies, services, travel, and subgrants and subcontracts up to the first $25,000 of each subgrant or subcontract (regardless of the period covered by the subgrant or subcontract). Equipment, capital expenditures, charges for patient care and tuition remission, rental costs, scholarships, and fellowships as well as the portion of each subgrant and subcontract in excess of $25,000 shall be excluded from modified total direct costs. Other items may only be excluded where necessary to avoid a serious inequity in the distribution of indirect costs. For this purpose, an indirect cost rate should be determined for each of the separate indirect cost pools developed pursuant to G.1. The rate in each case should be stated as the percentage which the amount of the particular indirect cost pool is of the modified total direct costs identified with such pool.

11. Section number G.4. *Predetermined fixed rates for indirect costs* is revised to read as follows:

4. *Predetermined rates for indirect costs.* Public Law 87–638 (76 Stat. 437) authorizes the use of predetermined rates in determining the indirect costs applicable under research agreements with educational institutions. The stated objectives of the law are to simplify the administration of cost-type research and development contracts (including grants) with educational institutions, to facilitate the preparation of their budgets, and to permit more expeditious closeout of such contracts when the work is completed. In view of the potential advantages offered by this procedure, negotiation of predetermined rates for indirect costs for a period of two to four years should be the norm in those situations where the cost experience and other pertinent facts available are deemed sufficient to enable the parties involved to reach an informed judgment as to the probable level of indirect costs during the ensuing accounting periods.

12. A new Section G.6. *Provisional and final rates for indirect costs* is added to read as follows:

6. *Provisional and final rates for indirect costs.* Where the cognizant agency determines that cost experience and other pertinent facts do not justify the use of predetermined rates, or a fixed rate with a carry-forward, or if the parties cannot agree on an equitable rate, a provisional rate shall be established. To prevent substantial overpayment or underpayment, the provisional rate may be adjusted by the cognizant agency during the institution's fiscal year. Predetermined or fixed rates may replace provisional rates at any time prior to the close of the institutions fiscal year. If a provisional rate is not replaced by a predetermined or fixed rate prior to the end of the institution's fiscal year, a final rate will be established and upward or downward adjustments will be made based on the actual

allowable costs incurred for the period involved.

13. Previously numbered Section G.6. *Limitation on reimbursement of administrative costs* is renumbered G.7. and G.7.a. is revised to read as follows:

7. *Limitation on reimbursement of administrative costs.* a. Notwithstanding the provisions of G.1.a., the administrative costs charged to sponsored agreements awarded or amended (including continuation and renewal awards) with effective dates beginning on or after the start of the institution's first fiscal year which begins on or after October 1, 1991, shall be limited to 26% of modified total direct costs (as defined in Section G.2.) for the total of General Administration and General Expenses, Departmental Administration, Sponsored Projects Administration, and Student Administration and Services (including their allocable share of depreciation and/or use allowances, interest costs, operation and maintenance expenses, and fringe benefits costs as provided by Sections F.5., F.6., F.7., and F.9.) and all other types of expenditures not listed specifically under one of the subcategories of facilities in Section F.

14. A new Section G.8. is added to read as follows:

8. *Alternative method for administrative costs.* a. Notwithstanding the provisions of Section G.1.a., an institution may elect to claim a fixed allowance for the "Administration" portion of indirect costs. The allowance could be either 24% of modified total direct costs or a percentage equal to 95% of the most recently negotiated fixed or predetermined rate for the cost pools included under "Administration" as defined in Section F.1., whichever is less, provided that no accounting or cost allocation changes with the effects described in Section G.7.d have occurred. Under this alternative, no cost proposal need be prepared for the "Administration" portion of the indirect cost rate nor is further identification or documentation of these costs required (but see subsection c.). Where a negotiated indirect cost agreement includes this alternative, an institution shall make no further charges for the expenditure categories described in Sections F.5., F.6., F.7. and F.9.

b. In negotiations of rates for subsequent periods, an institution that has elected the option of Section G.8.a. may continue to exercise it at the same rate without further identification or documentation of costs, provided that no accounting or cost allocation changes with the effects described in Section G.7.d. have occurred.

c. If an institution elects to accept a threshold rate, it is not required to perform a detailed analysis of its administrative costs. However, in order to compute the facilities components of its indirect cost rate, the institution must reconcile its indirect cost proposal to its financial statements and make appropriate adjustments and reclassifications to identify the costs of each major function as defined in B.1., as well as to identify and allocate the facilities components. Administrative costs that are not identified as such by the institution's accounting system (such as those incurred in academic departments) will be classified as instructional costs for purposes of reconciling indirect cost proposals to financial statements and allocating facilities costs.

15. Previously numbered section G.7. *Individual Rate Components* is renumbered G.9.

16. Section H.1. *Simplified method for small institutions* is revised as follows:

1. *General.* a. Where the total direct cost of work covered by this Circular at an institution does not exceed $10 million in a fiscal year, the use of the simplified procedure described in subsection 2., may be used in determining allowable indirect costs. Under this simplified procedure, the institution's most recent annual financial report and immediately available supporting information with salaries and wages segregated from other costs, will be utilized as a basis for determining the indirect cost rate applicable to all sponsored agreements.

17. Section J.8.f.(4) *Fringe benefits* is revised to read as follows:

f. *Fringe benefits.*

(4) Fringe benefits may be assigned to cost objectives by identifying specific benefits to specific individual employees or by allocating on the basis of institution-wide salaries and wages of the employees receiving the benefits. When the allocation method is used, separate allocations must be made to selective groupings of employees, unless the institution demonstrates that costs in relationship to salaries and wages do not differ significantly for different groups of employees. Fringe benefits shall be treated in the same manner as the salaries and wages of the employees receiving the benefits. The benefits related to salaries and wages treated as direct costs shall also be treated as direct costs; the benefits related to salaries and wages treated as indirect costs shall be treated as indirect costs.

18. A new subsection g. is added to Section J.21. *Insurance and indemnification* to read as follows:

g. Medical liability (malpractice) insurance is an allowable cost of research programs only to the extent that the research involves human subjects. Medical liability insurance costs shall be treated as a direct cost and shall be assigned to individual projects based on the manner in which the insurer allocates the risk to the population covered by the insurance.

[FR Doc. 93–17646 Filed 7–23–93; 8:45 am]

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Federal Register

Monday
July 26, 1993

Part V

Department of Energy

Bonneville Power Administration

Record of Decision on Water Management Actions in the Columbia River System; Notice

DEPARTMENT OF ENERGY

Bonneville Power Administration

Record of Decision on Water Management Actions in the Columbia River System To Be Taken by the Bonneville Power Administration in 1993 for the Benefit of Snake River Salmon

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Record of Decision on the Final Supplemental Environment Impact Statement (SEIS), Interim Columbia and Snake Rivers Flow Improvement Measures for Salmon.

SUMMARY: This Record of Decision (ROD), including the attached appendices, documents the decision of the Bonneville Power Administration (BPA) with respect to the operation of certain dams and reservoirs in the Columbia-Snake River system during 1993 and future years while a long-term plan of action is developed. This decision is the result of the evaluation and analysis within the entire administrative record, including the "Final Columbia and Snake Rivers Flow Improvement Measures for Salmon Supplemental Environmental Impact Statement" (SEIS), as issued on March 5, 1993; the Biological Assessment on "1993 Operations of the Federal Columbia River Power System dated February 1993; and the National Marine Fisheries Service (NMFS) Biological Opinion on "1993 Operation of the Federal Columbia River Power System," dated May 26, 1993. BPA's decision is designed to (1) implement the selected action described in Part VI of this ROD and (2) carefully consider the conservation measures in the Biological Opinion.[1]

The technical appendices support this ROD and provide constructive suggestions to both NMFS and the NMFS Recovery Team, which is charged with crafting a comprehensive recovery plan for these species. The Recovery Team's draft recommendations and report are anticipated to be released for public comment later this year. The suggestions concern (1) the NMFS no jeopardy standard; (2) empirical population data; (3) flow augmentation; (4) biological modeling; (5) salmon survival and recovery, and (6) nonflow measures. NMFS is designated pursuant to the Endangered Species Act (ESA) and its implementing regulations as the Federal agency responsible for overseeing activities associated with listings of anadromous fish as threatened or endangered under the ESA. NMFS has previously declared the Snake River sockeye salmon (*Oncorhynchus nerka*) endangered effective December 20, 1991 (56 FR 58619). NMFS has also found the Snake River spring/summer and fall chinook salmon (*Oncorhynchus tshawytscha*) to be a threatened species effective May 22, 1992 (57 FR 14653). For these listed species, NMFS has also proposed a critical habitat designation (57 FR 57051). BPA submitted comments with biological and economic information to NMFS during this designation process.

BPA takes this action pursuant to and consistent with its responsibilities under its enabling statutes, including the Bonneville Project Act of 1937, 16 U.S.C. 832, and the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (the Northwest Power Act), 16 U.S.C. 839 *et seq.* The ESA requires BPA to insure that its actions are not likely to "jeopardize the continued existence of the listed species or result in the destruction or adverse modification of the critical habitat." 16 U.S.C. 1536 (a)(2). In order to carry out this responsibility, BPA consulted with NMFS, and used the best scientific and commercial data available. BPA's enabling statutes also direct it to provide "an adequate, efficient, and reliable power supply" and to "protect, mitigate, and enhance" anadromous fish and wildlife to the extent affected by Federal hydroelectric projects of the Columbia River and its tributaries. 16 U.S.C. 839 *et seq.*

In reaching its decision, BPA has undertaken an extensive environmental evaluation in compliance with the National Environmental Policy Act (NEPA). Initially, BPA engaged in public information meetings to define the issues to be addressed in the SEIS and the relationship of the SEIS to other concurrent and ongoing processes. BPA prepared the draft SEIS and circulated it to approximately 2,200 individuals in October 1992. Various governmental entities and members of the public were provided a 45-day comment period. Contemporaneously, the cooperating agencies held nine public hearings throughout the region. The Final SEIS was filed with the Environmental Protection Agency on March 5, 1993, and distributed in full or in summary to approximately 2,500 individuals. Subsequently, a 30-day comment period was provided.

[1] BPA's water and power management responsibilities are set forth in Appendix G to this record of decision

FOR FURTHER INFORMATION CONTACT: Roy B. Fox, Manager, Coordination and Review, Office of Power Sales, PG, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208; Telephone 503–230–4261. For a copy of the appendices and additional copies of the Record of Decision on Water Management Actions in the Columbia River River System, call 800–622–4520 or 230–3478 (Portland).

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II. Background

This is the third consultation process under section 7 of the Endangered Species Act between NMFS and BPA on the operation of the hydrosystem. Previous consultations are summarized below. This "background" section summarizes the river system which is the subject of the SEIS and NMFS Biological Opinion, and describes the various roles of the several Federal, State, and Tribal parties who have authority and responsibility for various facets of river management, planning or other uses.

A. Habitat of the Listed Species: Columbia and Snake Rivers

The habitat of the threatened and endangered species which are the subject of this record includes the Columbia and Snake Rivers, as well as portions of the Pacific Ocean adjacent to the west coasts of Oregon, Washington, and British Columbia. The Columbia River is the fourth largest river in North America. It originates in British Columbia, Canada, travels south through central Washington, then west through the Columbia River gorge until it empties into the Pacific Ocean, 1200 miles from its source. The Snake River, a tributary of the Columbia, originates in Wyoming, travels through Idaho, and joins the Columbia in southeast Washington. The Columbia River is 1214 miles long; the Snake River stretches 1,038 miles. Together, they and other tributaries comprise the Columbia River Basin drainage, an area covering 39,500 square miles.

While once free flowing, the Columbia and Snake have since the mid-1930's been multipurpose rivers. In their natural state, significant flooding occurred and little transportation of commercial goods was possible. For these reasons, and to meet other purposes such as irrigated agriculture, recreation, and the production of power, Congress authorized over a period of approximately 25 years the construction of 30 dams to regulate water flow and produce electric power. Congress was fully aware that the construction of the dams could have an adverse affect on anadromous fish. It provided for fish passage facilities consistent with the best science available at that time, and under the Mitchell Act and individual dam authorization appropriated funds for the construction of a series of hatcheries to artificially propagate large numbers of salmon.

The dams achieved their purpose. Floods were controlled, power production electrified the Pacific Northwest and brought industry and jobs to the region, agriculture benefited from irrigation, and recreational opportunities were enhanced. The Snake River dams were instrumental in achieving a long sought goal by the State of Idaho and its congressional delegation: they enabled the construction of the Port of Lewiston, Idaho which allowed farmers to send their grain to market by water rather than by railroad, at considerable financial savings.

Anadromous fish were, as expected, adversely impacted although the number of returning salmon continue to vary widely from year to year. Scientific studies show that "down years" occur in streams both with dams and without dams. Dams have significantly restricted the habitat of anadromous fish and caused passage problems for both juveniles and adults which have contributed to the decline of the listed species. BPA has spent in excess of $1 billion dollars of ratepayer money to correct these problems, and in cooperation with State and Federal agencies, including NMFS, is seeking to implement measures to enhance anadromous fish populations.

The dams created reservoirs which store water that on average produces 18,500 megawatts of electricity annually. This electricity is marketed at wholesale by BPA. A discussion of BPA's roles and responsibilities is contained in Appendix G. The storage capacity of the reservoirs, however, is limited. Over one-third of the Columbia River storage capacity is located in British Columbia. BPA has limited ability to call on this storage. Reservoir storage limitations are an important issue because, as discussed below, NMFS relies heavily on measures to increase flow which presuppose the ability to attain a certain level of water at predetermined points at specified times.

The dams which are the subject of the SEIS and the Biological Opinion include, on the Snake River and its tributaries, Dworshak, Lower Granite, Little Goose, Lower Monumental, Ice Harbor, Hungry Horse, Libby, and Albeni Falls. Columbia River dams are the Grand Coulee, McNary, John Day, the Dalles, and the Bonneville Projects.

Other Columbia River dams, not owned by the Federal Government and therefore not the subject of the SEIS or the Biological Opinion, include Priest Rapids, Wanapum, Rocky Reach, Rock Island, and Wells. These facilities are licensed to public utility districts in the State of Washington and their operation is coordinated with the Federal dams through a contract known as the Pacific Northwest Coordination Agreement (PNCA).

Other Snake River dams, not owned by the Federal Government, include the Hells Canyon Complex of projects licensed to the Idaho Power Company (IPC). These projects will be the subject of relicensing by the Federal Energy Regulatory Commission in the next several years. The Brownlee Project is especially critical because BPA must have the approval of Idaho Power to store and shape water from the upper Snake River to benefit the listed species [2]

B. A River "Run By Committees": Key Players

Professor Don Bevan of the University of Washington, the Chairman of the NMFS Recovery Team, describes the Columbia River system as one which is "run by committees." This description

[2] To date, the IPC has cooperated in such storing and shaping although the costs for services have been borne primarily by BPA ratepayers.

is appropriate. While BPA is responsible for marketing electric power from these hydroelectric projects, providing nearly one-half of all electricity consumed in the Pacific Northwest, responsibility or regulatory authority for river operations, planning, or other uses is divided among a number of Federal and State agencies and Indian Tribes, and a key interstate compact entity, the Northwest Power Planning Council (NPPC) and the NMFS Recovery Team. A brief description of the roles and responsibilities of these entities is essential to understand the enormous complexity of the problem facing NMFS and the action agencies as they seek to fulfill their statutory responsibilities and also act in such a way as not to jeopardize the listed species or their habitat.

The Bonneville Power Administration, the U.S. Army Corps of Engineers (Corps), and the U.S. Bureau of Reclamation (BOR) are the three Federal action agencies who, together, manage, operate, and regulate the Federal hydroelectric projects on the Columbia and Snake Rivers. The Corps and Bureau constructed the facilities and operate them on a daily basis; BPA markets the electricity produced by the Projects and through the revenues generated by the sale of this power repays the Treasury of the United States for the portion of project costs allocated to commercial power.[3]

There are also, as previously noted, numerous non-Federal facilities which are licensed to both public and private licensees by the Federal Energy Regulatory Commission (FERC). Project licensees are required by law to mitigate for impacts to fisheries affected by project development. Licenses issued by FERC include site-specific mitigation provisions. Licenses may be amended, generally during relicensing.[4]

Fisheries responsibility is divided, at the Federal level, between the United States Fish and Wildlife Service (USFWS), which addresses nonanadromous species and the National Marine Fisheries Service (NMFS), which addresses anadromous species. NMFS faces the challenge of overseeing both the continued commercial harvest and the protection of the listed species which are the subject of the Biological Opinion. State fisheries agencies include those of the States of Washington, Oregon, Idaho, and Montana.

Treaty Tribes, entitled to harvest fish for ceremonial and subsistence purposes, interact with NMFS and the State agencies through the Columbia River Fisheries Management Plan, which is administered by the United States District Court for the District of Oregon through that court's ongoing jurisdiction. The Plan administers fisheries harvest and was constructed in the wake of a judicial decision, *U.S.* v. *Oregon*, which granted the Tribes the right to take significant numbers of anadromous fish pursuant to their Treaties with the United States. Tribal Compact members include the Confederated Tribes of the Umatilla Nation, the Yakima Indian Nation, the Confederated Tribes of the Warm Springs, and the Nez Perce Tribe.

BPA funds and oversees implementation of the NPPC Fish and Wildlife Program, described below, and repays the cost of fish hatcheries, passage facilities, and other improvements at individual Projects as part of its overall responsibility to pay all project hydropower costs.

The NPPC is an interstate compact entity. The Council was created pursuant to section 4(h) of the Northwest Power Act of 1980. 16 U.S.C. 839 4(h). The Council is compromised of eight members. Two members are appointed by each of the Governors of Washington, Oregon, Idaho, and Montana. The Council guides the BPA and is responsible for preparing a Fish and Wildlife Program to "protect, mitigate, and enhance" fish and wildlife affected by Federal projects in the Columbia River Basin.

Importantly, while the Council oversees the Fish and Wildlife Program through section 4(h) of the Northwest Power Act, it has no statutory role with respect to guiding NMFS. Congress did, however, recognize the dilemma of a "river run by committees." It directed that, "The Administrator and such Federal agencies (Corps and Bureau) shall consult with the Secretary of the Interior, the Administrator of the National Marine Fisheries Service, and the State fish and wildlife agencies, appropriate Indian Tribes and affected project operators * * * who) * * * shall to the greatest extent practicable, coordinate their actions." 16 U.S.C. 839b(h)(II)(B).

The Congress had hoped, and anticipated, that the passage of the Northwest Power Act and the Council's Fish and Wildlife Program would avoid the need for NMFS to take action under the ESA. The Council's Program has had some significant successes. Salmon restoration in the Yakima Basin is enhanced. Steelhead and mid Columbia chinook levels are also substantially higher. Upriver steelhead runs have increased dramatically, from an average run of 124,000 fish in the later half of the 1970's to an average of 363,000 fish in the later half of the 1980's. Upriver bright fall chinook runs increased from an average of 88,000 in the early 1980's to an average run of 299,000 in the late 1980s. The upriver spring chinook runs increased from an average run of 58,000 in the early 1980s to an average run of 97,000 in the late 1980s. Other runs, however, such as the listed Snake River sockeye and chinook, decreased.

In anticipation of the NMFS listings, the NPPC undertook a process in 1991 to amend its Fish and Wildlife Program, focusing on a salmon rebuilding program. Three phases of the four-phase effort are relevant to anadromous fish and present recommendations on different aspects of salmon survival, including production, habitat improvement, harvest, and fish passage improvements through the FCRPS. BPA and the other action agencies continue to coordinate closely with the NPPC in the development and implementation of these amendments.

One key Council concept is "the Water Budget." The Water Budget concept sets aside volumes of water in reservoirs to be used solely for juvenile fish spring migration. The Water Budget is intended to replicate the "spring freshet" which juvenile salmon relied on prior to the construction of the dams for help in their journey to the sea. NMFS also relies upon additional amounts of water to help fish but, as shown below, NMFS approach potentially varies importantly from the NPPC by recommending that BPA and the action agencies take measures expected to result in flow at certain levels at certain river check points.[5]

The NPPC Program will serve as a valuable aid to the NMFS' Recovery Team (Team). The Team is the final key "Committee" which will influence recovery of the listed Columbia River Basin species. Team members are drawn from the public and private sectors. They are preparing a Recovery Plan. The Plan is expected to identify specific actions to be undertaken in order to

[3] The total plant investment in FCRPS projects exceeds $12 billion. BPA 1992 Annual Report.

[4] The IPC appears to take the position that a settlement agreement between IPC and the Department of Commerce fully mitigates for all impacts caused by its Hells Canyon complex.

[5] If NMFS viewed these flow levels as fixed irrespective of natural water conditions, then the distinction between "water volume" (Water Budget) and "flow" is critical to understanding the differences of opinion in salmon recovery. Providing fixed flow potentially presents significant physical problems in a river system with limited storage capability, especially in a drought situation such as the PNW is currently experiencing. There is also, as noted in section V.C.3 of this ROD and Technical Appendix C to this decision document, limited scientific support for a positive relationship between flow and fish survival.

conserve and recover the sockeye and chinook which are the subject of this decision document. BPA looks forward to the release of the draft Plan within the next few months.

III. Prior Consultations With the National Marine Fisheries Service

BPA, the Corps, and Bureau have jointly consulted with NMFS twice before this current 1993 hydro operations consultation.

A. 1992 Hydro Operations Consultation

The first FCRPS consultation occurred considerably in advance of the 1992 spring juvenile salmon migration season. In anticipation of this consultation, the action agencies began an environmental review process. The process was designed to (1) evaluate the environmental effects of new short-term river management actions under NEPA; and (2) provide the biological assessment of proposed actions required of action agencies both under NEPA and the ESA. The process culminated in the Columbia River Salmon Flow Measures Options Analysis/Environmental Impact Statement (1992 OA/EIS).

Biological assessments were submitted to NMFS in February 1992. Consultation took place over the next 2 months. During consultation, NMFS and the action agencies exchanged information and analyses regarding the proposed operation. These exchanges and analyses examined possible operations including operating the four lower Snake River projects near minimum operating pool; operating the John Day pool at a lower elevation unless irrigation impacts occurred; and augmenting river flows during fish migration periods with additional releases from upstream storage reservoirs. On April 10, 1992, NMFS issued its biological opinion. The opinion found that the proposed 1992 hydro operations were not likely to jeopardize the continued existence of the listed Snake River species. BPA, the Corps, and Bureau then implemented the proposed action consistent with the 1992 OA/EIS and the NMFS opinion.

B. Fall/Winter Hydro Operations Consultation

Because the 1992 hydro operations biological opinion did not explicitly address flow and spill actions after the fall of 1992, and in response to continuing regional drought conditions, the action agencies requested to consult with NMFS on hydro operations during the fall of 1992 and winter of 1993. BPA prepared and submitted to NMFS a "Drought Response Management Plan" covering fall/winter reservoir management and other actions to assure the availability of stored water for later flow augmentation. NMFS issued a biological opinion that the proposed fall/winter hydro operations were not likely to jeopardize the continued existence of the listed Snake River species. BPA, the COE, and BOR implemented the proposed action consistent with the NMFS opinion.

IV. 1993 FCRPS Operations: NEPA Analysis and Evaluation

A. Introduction

This chapter (1) explains the NEPA process in the context of both interim and long-term decisionmaking; (2) discusses the range of alternatives considered in the SEIS upon which this record relies; and (3) responds to some of the concerns raised by commenters subsequent to the issuance of the Final SEIS in March 1993.

B. The Columbia River System Operation Review (SOR)

The SEIS analyzes alternative means to operate the FCRPS during 1993 and future years and the environmental impacts of such alternatives. However, from a longer term perspective, more work is being conducted. Identifying the need to undertake a comprehensive, long-term study to coordinate the operation of the federal projects, BPA, the COE and BOR began a process in 1990 called the Columbia River System Operation Review (SOR). The SOR is a programmatic EIS which examines the coordinated operation and management of the FCRPS and the delivery of federal power to utilities and industries in the Pacific Northwest. It will be used to establish guidelines for river system operations which will account for impacts on all river users, including anadromous fish, power, recreation, resident fish, irrigation, and navigation. In addition to the BPA, COE, and the BOR, NMFS, the U.S. Fish and Wildlife Service (USFWS), National Park Service and U.S. Forest Service are cooperating agencies. The SOR also will evaluate environmental impacts associated with alternative coordination agreements and agreements allocating Federal and non-Federal responsibilities for returning Canada's share of Columbia River Treaty benefits. The SOR is scheduled for completion in late 1994 or early 1995.

C. The SEIS Considered the Full Range of Alternatives as Required by NEPA

This section describes the alternatives evaluated by BPA, the Corps and Bureau to operate the FCRPS in 1993 and future years so as not to jeopardize the continued existence of the listed Snake River salmon. The alternatives are further described in Chapter 3 of the SEIS, in Appendix J of the SEIS, and in an exchange of letters between NMFS and the action agencies. These alternatives are primarily flow-related actions at the eight run-of-river Corps projects in the lower Snake and Columbia Rivers. The Corps and Bureau storage projects in the upper Columbia River Basin as well as storage projects operated by BC Hydro in Canada are also involved.

Generally, the SEIS evaluates in detail four action alternatives that incorporate a combination of reservoir operation at lower pool elevations and flow augmentation measures involving multiple projects. The effects of these four alternative are measured and compared with the No-Action Alternative. The following is a brief description of the evaluated alternatives:

Alternative 1: No Action

Under this alternative, the projects would be operated as they were from about 1985 to 1990. All four lower Snake River reservoirs and all four lower Columbia River reservoirs would operate in the upper portion of the normal operating range. Storage reservoirs would be operated according to their normal rule curves. Existing flow augmentation provisions known as the Water Budget would continue.

Alternative 2: 1992 Operations

This alternative includes actions actually planned for the 1992 operating year. These actions were based on the OA/EIS; the BPA, Corps, and Bureau Records of Decision; and NMFS' Biological Opinion for 1992 operations. Alternative 2 does not include the March drawdown test at Lower Granite and Little Goose pools. The flow augmentation elements of Alternative 2 include additional water from Dworshak, Brownlee, the upper Snake River, and Grand Coulee, Arrow and/or Libby on the Columbia River. In addition, any water gained from transferring flood control space from either Dworshak or Brownlee to Grand Coulee would be used for flow augmentation. The four lower Snake River projects would be operated near minimum irrigation pool during spring and summer. During fall and winter, the storage projects would be operated in a manner which would provide the volumes of water for flow augmentation the following spring and summer described for this alternative, and the lower Snake River and lower Columbia River projects would operate within the normal operating range.

Alternative 3: 1992 Operations With Libby/Hungry Horse Sensitivity

A basic condition of the 1992 operations was that Libby and Hungry Horse projects would not be operated differently to compensate for river flow changes elsewhere in the system. This alternative includes the same actions as Alternative 2 and adds a "sensitivity test" that models whether there would be any indirect effects on Libby or Hungry Horse operations from flow improvement measures taken elsewhere in the system. This alternative was included in response to a request from the State of Montana.

Alternative 4: Modified 1992 Operations

This includes those actions in Alternative 2, plus enhancement of summer flow augmentation from Dworshak. The primary differences between Alternative 4 and Alternative 2 are two features of planned flow augmentation from Dworshak. One feature is that the September release in Alternative 2 could be shifted to July and/or August to benefit summer juvenile migrants, and/or adult salmon, when determined to be biologically prudent. The other, criterion for flood control transfer from Dworshak to Grand Coulee, would change in order to increase the number of years in which space for flood control could be transferred, filled and subsequently released for salmon.

Alternative 4 was identified as the preferred alternative in the final SEIS and is the basis for the Administrator's selected action as further detailed in Part VI.

Alternative 5: Modified 1992 Operations With Upper Snake Sensitivity

Alternative 5 includes actions in Alternative 2, plus improvements to salmon flows from Dworshak as in Alternative 4, but minus the flow transfer water from the upper Snake. This alternative was analyzed as a sensitivity model to show the difference if no water is available from the upper Snake River. Purchase of uncontracted water from the upper Snake River Basin was an objective of the 1992 operating plan. This objective was only partially met because of low flows in 1992 and the consequent scarcity of water available for purchase.

D. Comments on the Final SEIS

A number of comments were received by BPA on the final SEIS for 1993 operations. While the comments raised issues that were previously addressed by the cooperating agencies in the SEIS, BPA has reiterated its response to the more substantive comments as follows:

1. The 1993 EIS Examines a Wide Range of Flow Augmentation Alternatives

The Public Power Council (PPC) and the Pacific Northwest Generating Cooperative (PNGC) believe that the action agencies only considered the range of flow augmentation levels presented in the 1993 SEIS and therefore criticize the agencies for considering a narrow range of alternatives. PPC/PNGC at 4–5. The adequacy of the range of alternatives considered by the action agencies is identified in the 1993 SEIS as a common issue. The agencies responded to this issue at pages H–6 to H–7 of the SEIS.

As explained in the document, BPA believes that the feasible flow improvement measures were limited by the structural configuration of the system and the total amount of storage available. Accordingly, the SEIS evaluates in detail four alternatives that incorporate a combination of reservoir operations at lower pool elevations and flow augmentation measures involving multiple projects. See SEIS at 3–2. Additionally, as a supplement to the 1992 Flow Options EIS, the 1993 SEIS incorporates by reference the wide range of alternatives evaluated in 1992. See SEIS Response S6–2 at H–32.

The 1992 Flow Options EIS considered 11 flow augmentation alternatives in Options A–J, plus the NPPC Plan. See 1992 Flow Options EIS, section 3.2.3, at 3–7 to 3–10; see also, SEIS Response A15–15 at H–70. Accordingly, the range of alternatives considered in the 1993 SEIS is adequate.

2. The Scope of the 1993 SEIS is Adequate to Address Flow Augmentation Alternatives

The PPC and the PNGC believe that the scope of the 1993 SEIS is too narrow because it does not incorporate "[r]educed harvest levels, improved habitat management, and improved hatchery practices. PPC/PNGC at 7. The action agencies respond to this comment at pages H–7 to H–8 of the SEIS. As the agencies stated in the SEIS, the "function of this SEIS is to evaluate the impacts of several alternatives to the operation of certain dams and reservoirs in the Columbia-Snake River system during 1993 and future years." SEIS at 1–1. The 1993 SEIS considers only flow augmentation measures because these are the types of measures that can be implemented in this interim operational stage. Measures requiring major structural modifications at existing projects were not evaluated because they could not be completed in time to benefit 1993 salmon migration.

Further, because harvest, habitat and hatchery are not involved in the operation of FCRPS dams and reservoirs to augment flows for migrating salmon, these issues are being analyzed and evaluated in other biological assessments and opinions outside the SEIS process evaluating flow augmentation. See SEIS Responses A23–2 at H–80; A23–12 at H–81. The scope of the 1993 SEIS is appropriate to address flow augmentation alternatives.

3. A Relationship Between Flow and Survival Exists Sufficient To Support a Proposed Action Reflecting Consideration of Flow Augmentation Alternatives

Several commenters stated that a relationship between flow and juvenile salmon survival lacks scientific integrity. PPC/PNGC at 22; DSI at 2. They argue that the assumption made in the SEIS that flows aid in juvenile salmon migration is not based on credible scientific information. Despite research spanning three decades funded by BPA and the COE, the region still lacks information on the flow/survival relationship. This is due in large part to the use in earlier studies of what are now considered inadequate methodologies. However, as noted in the response to commenters on this issue in the SEIS, "the cumulative weight of the research does not demonstrate that absolutely no relationship exists." SEIS Response 5 at H–10.

Qualitatively, most, if not all, biologists agree that flows are important for fish survival. Quantitatively, we have only limited data of questionable accuracy for yearling chinook, and no direct flow-survival data for subyearling chinook, to predict what the incremental benefit to survival is for an incremental increase in flows. Until recently developed statistical tools and tagging techniques are applied during migration seasons, and this flow/survival relationship is established, the best scientific, albeit inconclusive, evidence available justifies the use of flow augmentation measures during this interim operation of the FCRPS. See SEIS Responses S7–18 at H–37; A15– 12 at H–69; A19–2 at H–75 to H–76; A25–23 at H–86. (See Appendix C)

V. BPA and Action Agencies: Biological Assessment, Consultation and Consideration of NMFS Biological Opinion

On February 17, 1993, BPA, the Corps, and Bureau commenced formal ESA consultation with NMFS by submitting to NMFS the Biological Assessment—"1993 Operation of the

Federal Columbia River Power System" (FCRPS BA). From that time until NMFS issued the Biological Opinion on 1993 Operation of the Federal Columbia River Power System (FCRPS B.O.) on May 26, 1993, the action agencies and NMFS formally consulted on the effect of proposed 1993 hydro operations on the listed Snake River salmon species.

This chapter describes:

- The biological analyses and conclusions contained in the FCRPS Biological Assessment;
- The consultation process on the FCRPS Biological Assessment; and
- BPA's consideration of the FCRPS B.O.

BPA's primary concern with the FCRPS B.O. is NMFS' interpretation of biological data to support the use of measures to result in flow levels to benefit juvenile salmon survival. This and other important points responses are summarized in the body of this decision document, and are addressed in more detail in appendices A–H.

A. FCRPS Biological Assessment Analysis and Conclusions.

1. Analytical Framework

a. Scope of analysis. The scope of the FCRPS BA is similar to that in the 1992 FCRPS consultation. As in 1992, the action agencies chose a broad scope to analyze how 1993 hydro operations, within the larger, more comprehensive context of life-stage survival of anadromous species, would affect survival. The scope is broad both as to the actions analyzed and the full species life-cycle considered.

BPA reaffirms its belief that the key to avoiding jeopardy and achieving recovery of Snake River sockeye and chinook salmon, especially in the near term, is increased survival of adults returning to spawn. For a technical discussion of this approach to salmon survival and recovery, see Appendix D. Spawning escapement depends upon actions taken by various entities at all stages of the salmon's life-cycle. Consequently, the extent to which a proposed action affects a listed species, in part, depends upon how previous actions have affected it.

BPA recognizes that successful juvenile and adult passage through the FCRPS projects along the migration route is critical to the species' survival and recovery. But the full salmon life-cycle requires habitat conducive to hatching and rearing of smolts prior to migration, minimal interference by hatchery-bred salmon, reduced predation and a harvest-restricted ocean and in-river environment. Therefore, this FCRPS BA analyzes how 1993 hydro operations, when combined with other effects at various salmon life stages, affect survival of the listed Snake River species and weak anadromous stocks. FCRPS BA at 1. Treating the proposed designation of critical habitat as though it were final, the BA also encompasses an analysis of impacts on critical habitat. FCRPS BA at 28.

b. Analytical tools used. Although definitive information about the Snake River listed species is incomplete, and scientific opinion is not uniform, the action agencies have used two approaches that consider all available information in order to analyze 1993 hydro operations.

First, empirical data analysis is used to reflect the current status of the populations and project the expected adult salmon population levels in 1993 (See Appendices B and E, and the FCRPS BA at 27). Second, biological modeling analysis is used to provide projections of the effects of 1993 proposed actions on juvenile survival in 1993 and future years, and the effects these actions will have on spawning escapement trends. FCRPS BA at 27. The modeling analysis also reflects other non-operational mitigation actions that are planned for implementation in 1993 and future years.[6] *Id*

Our analyses regarding the listed Snake River sockeye salmon were limited. At the time the FCRPS BA was prepared and submitted, no Snake River sockeye salmon juveniles belonging to the ESA evolutionarily significant unit (ESU) were expected to outmigrate from Redfish Lake and enter the FCRPS in 1993. FCRPS BA at 29.

The BA noted, however, that in November 1992, a resident form of sockeye salmon was observed spawning in Redfish Lake. FCRPS BA at 30. These "residual" sockeye salmon may have produced offspring in 1991 or 1992 that could enter the hydrosystem in the spring of 1993. The BA concluded that the 1993 FCRPS measures intended to benefit the listed Snake River chinook species may also benefit the residual sockeye progeny. *Id.* On March 19, 1993, NMFS notified Federal agencies that after reviewing the growing scientific evidence on residual sockeye, it considered the resident form to be part of the ESU protected by the ESA. See FCRPS B.O. at 12. There is a possibility that protected residual sockeye may enter the FCRPS in 1993. BPA believes that the FCRPS BA conclusion that 1993 operational measures may benefit these sockeye addresses this concern. In 1993, BPA will continue to fund trapping and PIT-tagging of outmigrants from Redfish Lake to monitor run size and timing, and to estimate travel time in the FCRPS. FCRPS BA at 30.

2. Empirical Data Analysis

As the FCRPS BA states, there are uncertainties in evaluating data sets, and caution should be used in estimating the number of adults that successfully spawn. FCRPS BA at 31. For example, there are unexplained losses that occur after the adults pass Lower Granite, the last FCRPS project before the spawning ground, and inaccurate dam counts may confound and lend uncertainty to the analysis. *Id.* Empirical data on adult passage counts and redd index counts were evaluated to estimate the 1993 spring/summer chinook salmon run. Based primarily on the redd count data, the BA concluded that the near-term prognosis for 1993 spring/summer chinook adults was generally stable to slightly decreasing escapement trend compared to 1989–1992. *Id.* at 32. Analysis of adult passage counts, redd index counts and jack counts suggest continued low adult fall chinook salmon population levels in the near term. *Id.* at 36. This conclusion was based on the then fishery management forecast of the 1993 run, current harvest management escapement goals, a decreasing adult run estimate based on jack and juvenile counts, and low redd counts. *Id.* (See Appendix B and E for further discussion of empirical data.) These conclusions are consistent with projections derived from modeling analyses, which show a generally stable to slightly declining escapement trends for spring/summer chinook and declining escapement trends for fall chinook under baseline conditions. *Id.* at 54, 56, 65–67.

3. Biological Modeling Analysis

A quantitative, comprehensive evaluation of the many factors that combine to affect juvenile salmon survival through the FCRPS projects and the long-term population trends for the listed species requires analytical tools such as computer models. The models utilize currently available scientific information. The FCRPS BA uses two such computer models to evaluate the biological effect of proposed hydro operations and nonflow measures on the listed Snake River chinook salmon. FCRPS BA at 37. The juvenile passage

[6] Analytic techniques and parameter values to be used in the modeling were discussed among BPA, Corps, Northwest Power Planning Council and state and Tribal fishery personnel during August, September, and October of 1992. Additional parameter values were submitted by NMFS. The results of these discussions and agreements were incorporated in the models and presented in the FCRPS BA analysis.

survival model known as the Columbia River Salmon Passage Model (CRiSP.0) analyzes juvenile passage conditions. The results of CRiSP.0 are used in the spawning escapement trend model known as the Stochastic Life Cycle Model (SLCM). SLCM projects the expected spawning escapement trend of each population over the next 40 years. Sensitivity analyses were also performed. FCRPS BA at 57.

These models are important to estimate the future population of anadromous fish. The temporal and spatial distribution of both the population (in any given year multiple brood years are distributed throughout the species' range) and actions affecting that population (the effect of mitigation actions will continue over the years) requires the type of life-cycle modeling used in the FCRPS BA. *Id.* at 38. But models and existing data cannot completely account for the substantial level of uncertainty and variability inherent in biological systems. The uncertainty in the biological data and professional judgments used in the analysis requires a strong monitoring and evaluation program to follow closely the dynamics of the population to provide for corrections in the models and the management actions which are taken. *Id.*

a. Juvenile Passage survival model results. The development of the CRiSP.0 model is described in the FCRPS BA at 39. The results of the model are presented in the FCRPS BA at 50–51 and Appendix C. For juvenile Snake River spring/summer chinook migrants, the CRiSP.0 model results estimate that 1993 proposed flow actions provide a relative increase in the 10th percentile, median, and 90th percentile survivals of 5.2, 3.5, and 1.1 percent for the springs, and 3.8, 3.9, and 1.1 percent for the summers. In addition, relative to 1990 baseline conditions, the proposed flow and non-flow actions were projected to increase the estimated percentile survivals by 14.3, 6.5, and 2.4 percent for the springs, and 13.4, 8.3, and 3.1 percent for the summers. By 1998, the relative increases are even higher. FCRPS BA at 53. In general, the CRiSP.0 model results show that Snake River fall chinook salmon juvenile survival is relatively insensitive to the SEIS flow measures. *Id.* at 55. Survival improvements are projected for fall chinook with the addition of nonflow measures such as increased transportation, squawfish management, and bypass system additions and improvements. *Id.* Relative to 1990 baseline conditions, the 1993 proposed flow and nonflow actions were projected to increase the 10th percentile, median, and 90th percentile survivals by 50.8, 28.7, and 20.1 percent respectively. These increases were even higher for 1998. *Id.*

b. Spawning escapement trend model results. The development of the SLCM is described in the FCRPS BA at 39–49. The SLCM is calibrated and initialized using adult harvest and return data from past years. FCRPS BA at 40. The SLCM incorporates uncertainty through stochastic processes. In addition, the SLCM trend analyses assume three separate levels of effectiveness for certain mitigation measures having substantial levels of uncertainty. *Id.* The results of the model are presented in the FCRPS BA at 51–52.

The Snake River spring/summer chinook salmon SLCM results show that if all levels of effectiveness are considered, then the projected median escapement levels increase over time relative to 1990 baseline conditions. FCRPS BA at 53. The probabilities of escapement projections falling below 1000 spawners for springs and 500 spawners for summers increase over time under baseline conditions but stabilize or decrease with time under the proposed actions of each of the effectiveness levels. *Id.* If all levels of effectiveness are considered, the projected median escapement levels for Snake River fall chinook increase over time relative to 1990 baseline conditions. *Id.* at 56. The probability of escapement projections falling below 250 spawners increases with time under baseline conditions and decreases with time under the proposed actions for each of the effectiveness levels. *Id.*

4. Conclusions

a. Snake River sockeye salmon. The action agencies conclude in the FCRPS BA that the combination of the captive rearing program and improved migration conditions are expected to increase the number and productivity of Snake River sockeye salmon. Thus, the 1993 proposed hydro operation is not likely to jeopardize the continued existence of the sockeye or result in the destruction or adverse modification of its critical habitat. FCRPS BA at 74.

b. Snake River spring/summer chinook salmon. The action agencies conclude in the FCRPS BA that although near-term escapement trends will be generally stable or slightly decreasing, the long-term population projections for Snake River spring/summer chinook salmon are positive under the proposed actions. Life-cycle modeling projections indicate that improvements in juvenile passage survival, in combination with other life stage improvements stemming from habitat, harvest, and adult migration measures should lead to reversal of the near-term population decline and increased future populations levels. Thus, the 1993 proposed hydro operation is not likely to jeopardize the continued existence of the spring/summer chinook or result in the destruction or adverse modification of its critical habitat. FCRPS BA at 75.

c. Snake River fall chinook salmon The action agencies state in the FCRPS BA that it is important to consider information which suggests possible continued low population levels for Snake River fall chinook in the near-term. FCRPS BA at 77. Recent population declines, together with low jack counts and low numbers of redds in 1992, warrant concern that adult returns may not improve over the next few years. But long-term population projections are positive. Life- cycle modeling projections indicate that improvements in juvenile passage survival and adult escapement, in combination with other life stage improvements stemming from habitat, harvest, and adult migration measures should lead to reversal of the current population decline and increased future populations levels.

NMFS expects each sector affecting the listed species to contribute to improved survival, and the proposed hydro operation has been evaluated in the context of the foreseeable actions by these other sectors. FCRPS BA at 76. Thus, the agencies conclude that the 1993 proposed hydro operation is not likely to jeopardize the continued existence of the fall chinook or result in the destruction or adverse modification of its critical habitat. *Id.* at 77. However, the agencies recommend implementation of measures emphasizing benefits to returning adults in order to provide prompt, near-term benefits to fall chinook spawning escapement. *Id.* As stated above, BPA believes that increased survival of adults returning to spawn is critical to survival and recovery of the Snake River listed salmon species. See Appendix D.

B. NEPA and Consultation Process With NMFS

BPA entered discussions with NMFS on '93 operation of the FCRPS shortly after the conclusion of consultation on '92 operations. During the summer of 1992 BPA, Corps, and Bureau reached an agreement with NMFS on a two part consultation. First, the operation during the 1992/1993 fall and winter period would be addressed. While this consultation was in progress, the action agencies would prepare a supplemental EIS and biological assessment. This

second consultation would address spring 1993 and beyond operations.

Consultations were initiated and the fall and winter operations were described in letters from each of the action agencies and resulted in a Biological Opinion on Operation of the FCRPS through January and April 1993 (February 24, 1993). This opinion concluded that the proposed operation would not jeopardize the continued existence of the listed Snake River salmon species.

A notice of intent to prepare the SEIS was filed by the Corps on June 9, 1992. The BPA and Bureau were identified as cooperating agencies. Public meetings were held at the following times and places:

July 6, 1992: Portland, Oregon
July 7, 1992: Umatilla, Oregon
July 8, 1992: Pasco, Washington
July 9, 1992: Coulee Dam, Washington
July 14, 1992: Boise, Idaho
July 15, 1992: Lewiston, Idaho
July 16, 1992: Kalispell, Montana

The draft SEIS was issued on October 23, 1992. A 45 day comment period was held with public meetings at the following times and places:

November 4, 1992: Libby, Montana
November 5, 1992: Kalispell, Montana
November 9, 1992: Orofino, Idaho
November 10, 1992: Lewiston, Idaho
November 12, 1992: Boise, Idaho
November 16, 1992: Portland, Oregon
November 17, 1992: Hermiston, Oregon
November 18, 1992: Pasco, Washington
November 19, 1992: Grand Coulee, Washington

The final SEIS was prepared and made available to the public with the notice of availability published in the **Federal Register** on March 5, 1993. During the 30-day comment period, on the SEIS, the cooperating agencies received written comments from approximately 39 Federal, State, and local agencies, organizations, Native American Tribes, and individuals. BPA has considered these comments. The comments are substantive but not new issues. The issues were encompassed by the 1992 OA/EIS and the SEIS.

On February 17, 1993 BPA, Corps, and Bureau requested of NMFS formal consultation and submitted a biological assessment of the 1993 operation of the FCRPS (Appendix J, SEIS). Prior to submitting the biological assessment numerous meetings were held among the four agencies to discuss the proposed operations and the analysis.

During the consultation process, the staff and management of NMFS and the operating agencies had almost daily conversations either in person or by telephone. The participants extensively discussed and exchanged information on operation of the FCRPS, impacts of the FCRPS upon the listed species, and ways to reduce the impacts.[7]

Formal consultation concluded with issuance of NMFS' FCRPS B.O. on May 26, 1993. Although formal consultation has ended, the NMFS and the action agencies continue to communicate as 1993 operation of the FCRPS progresses.

C. Consideration of NMFS' Biological Opinion and Additional Analysis During Consultation

On May 26, 1993, NMFS issued a biological opinion on proposed operations of the Federal Columbia River Power System (FCRPS). The action proposed by BPA, COE, and BoR include flow and nonflow related measures. For a description of these measures, see Part VI of this ROD. See also Part II of the FCRPS Biological Opinion.

To determine whether the proposed action avoided jeopardy to Snake River sockeye, NMFS considers the human-induced mortality of even one adult fish, or an equivalent impact, to be a matter of grave concern. FCRPS B.O. at 14–15. Applying this standard to the proposed action, NMFS concludes that FCRPS improvements for 1993 will reduce mortality, and that the captive rearing program represents a dramatic increase in survival of juveniles over what would be expected in the absence of captive rearing. FCRPS B.O. at 64. Considering these improvements, NMFS concludes that the proposed 1993 operation of the FCRPS is not expected to reduce appreciably the likelihood of survival of the species and therefore is not likely to jeopardize the continued existence of Snake River sockeye salmon. FCRPS B.O. at 65.

To determine whether the proposed action avoided jeopardy to Snake River spring/summer chinook and fall chinook, NMFS used the standard described in its March 16, 1993, memorandum entitled "The Section 7 Consultation Process: Analyzing Actions that May Affect Endangered or Threatened Snake River Salmon". See FCRPS B.O. at 16. Applying this standard to FCRPS operations, NMFS concludes that proposed operation of the FCRPS is not likely to jeopardize the continued existence of Snake River sockeye, spring/summer chinook, or fall chinook salmon. FCRPS B.O. at 64–66. NMFS concludes that there is a reasonable certainty that the populations of spring/summer and fall chinook will stabilize in four life cycles and that the proposed action results in a meaningful decrease in mortality relative to the 1986–90 base period. FCRPS B.O. at 65–66.

BPA's analysis also shows significant reductions in mortality and projects a reversal of population declines for the listed species. BPA has conducted extensive analyses of impacts of the FCRPS upon the listed anadromous species. These analyses include those in the SEIS, the FCRPS Biological Assessment (see parts IV, V, and V.A. of this ROD) and consideration of the FCRPS Biological Opinion.

These analyses also include additional studies conducted during consultation with NMFS and additional review of empirical data and modeling. The empirical data analysis makes possible estimates of adult chinook salmon population levels in the near term and reflects the status of populations as affected by conditions in the last few years prior to their ESA listings and before improvements by the operating agencies and others take effect. The biological modeling analysis provides projections of the effects of the operating agencies' proposed action on juvenile survival in 1993 and future years, and the effects of the proposed action on spawning escapement trends.

There is consistency between empirical projections and baseline model projections (without additional actions). CRiSP and SLCM allow various measures to be analyzed and evaluated. Empirical data analysis provides additional information for identifying potential short-term difficulties with achieving a long-term uptrend, such as a risk of population declines below a critically low point from which an uptrend would be difficult to achieve.

The following summarizes BPA's review of empirical and modeling information during consultation and in consideration of NMFS' B.O. BPA also identifies ways in which its analyses differ from that of NMFS and considers how to more rigorously ensure against likely jeopardy over the near term.

1. Review of Empirical Data

Historical trends, in-season monitoring, and near-term empirical forecasts of run size of the listed salmon species help to monitor the biological status of the populations and evaluate progress towards rebuilding the species. Historical trends for all the listed species have been downward.

[7] The ESA consultation is a dynamic and iterative process. At one point during the consultation, NMFS considered issuing a "jeopardy" biological opinion. NMFS ultimately rejected this option, because of improved forecasts of spring and summer flow, and the operating agencies' agreement to modify their proposed action with additional measures, and to establish an inseason management process described in the incidental take statement.

Several indicators are relevant to near-term empirical forecasts of the run size of returning spring/summer and fall chinook. They are: counts of returning adults past Lower Granite Dam, redd counts, jack counts, and juvenile migration counts. The counts and count indices contain uncertainties, and near-term projections based upon empirical data primarily reflect conditions before some listings of Snake River sockeye and chinook took place and before some post-listing improvements take effect. However, the empirical data provide an additional tool for monitoring the health of the populations of these species, and in subsequent years the empirical data should reflect post-listing improvements in conditions. These indicators are important information to consider when assessing the near term health of the species.

The empirical data indicate that, for Snake River spring/summer chinook, the near-term estimate is for generally stable to slightly decreasing escapement trends compared to 1989–1992 in the near term. FCRPS B.A. at 32. For fall chinook, the near-term estimate is for continued low adult Snake River fall chinook salmon population levels in the near term. FCRPS B.A. at 36. A summary of this data appears in section V.A.2. of this ROD and pp. 31–36 of the FCRPS B.A. For a more detailed review please see Appendix B of this ROD, which is entitled, "Review of Empirical Data".

2. Review of Biological Modeling

Computer models were used during consultations with NMFS to project the biological effects of proposed river operations and other nonflow measures on the listed Snake River chinook salmon. The application of fishery models was essential to a comprehensive and quantitative evaluation of the many factors that combine to change juvenile fish passage survival and the long-term population trends of the ESA salmon stocks. The model analysis and supporting documentation provide a record of the data, assumptions, and scientific reasoning applied in the assessment of alternatives and were an important communication tool for consultation with NMFS. The juvenile passage survival projections from the CRISP model were used by NMFS as the basis for evaluating the proposed 1993 river operations relative to 1986–1990 levels of survival (first part of NMFS no-jeopardy standard). The adult population trend projections from the SLCM model were used by NMFS as the basis for evaluating the combined effects of the River fall chinook in the near-term. FCRPS BA at 77. Recent population declines, together with low jack counts and low numbers of redds in 1992, warrant concern that adult returns may not improve over the next few years. But long-term population projections are positive. Life-cycle modeling projections indicate that improvements in juvenile passage survival and adult escapement, in combination with other life stage improvements stemming from habitat, harvest, and adult migration measures should lead to reversal of the current population decline and increased future populations levels.

a. Analyses Requested by NMFS. Several modeling runs were performed at the request of NMFS during formal consultation. These analyses included changes in model parameters requested by NMFS, evaluation of alternative river operations, and updates reflecting new projections for 1993 water conditions. Additional life cycle analyses subsequent to the BA were also performed to further examine the effect of the past 3 years of poor water conditions on chinook population trends. (See Appendix D.) The analyses considered alternative system operations that were within the flexibility of operating constraints analyzed in the 1993 SEIS.

(1) Analysis Using NMFS Model Parameters. Projected changes in juvenile fish survival (CRiSP) and adult population trends (SLCM) using model parameters and changes in future conditions provided by NMFS on January 19, 1993, were provided to NMFS on February 2, 1993.

The projections of changes in juvenile fish survival for the 1993 operating year using NMFS model values showed very similar results to BPA's analysis in the BA. In general, these results showed substantial increases in juvenile survival for 1993 and later years. The median value of projected juvenile survival for 1993 increased relative to the baseline conditions by 5, 7, and 23 percent for spring, summer, and fall chinook respectively.

The projections of chinook adult population trends using NMFS model values were very similar to BPA's projections in the BA. The projections showed improving population trends and substantial decreases in the probability of declining run sizes for all three stocks. The probability of the population falling below specified bench marks at the end of the 40 year simulations (assuming all levels of uncertainty in mitigation effectiveness) decreased from 31, 21, and 75 percent to less than 1, 1, and 1 percent for spring, summer, and fall chinook respectively.

(2) Early Projections Reflecting 1993 Water Conditions. Estimates of juvenile fish survival for early projections of 1993 water conditions (provided as a high and low range) and for NMFS suggested flow targets were provided to NMFS in March. These analyses continued to use the model values provided by NMFS. The average juvenile survival for actual water conditions observed in a base period of 1986 through 1990 were also provided for comparison at the request of NMFS.

The projected range of flow levels (both high and low) in combination with other nonflow measures showed substantial survival improvements for both spring, summer and fall chinook. The projected juvenile survival levels for 1993 compared to the 1986 through 1990 survival levels showed 24, 34, and 63 percent increases under low runoff conditions and 30, 40, and 81 percent increases under high runoff conditions for spring, summer, and fall chinook respectively.

(3) Updated Water Projections and Alternative Operations. Additional juvenile survival analyses were provided to NMFS in April and May based on updated water projections. Some of these projections included alternative operations that were under consideration including a shift of 1 MAF from the spring flow augmentation period into July. These analyses continued to use model values requested by NMFS.

The baseline survival increased in the final set of model runs due to an error correction in the baseline flow data for the two months of April and August. This correction also increased the post-Bonneville transportation survival which is based on inriver survival during certain baseline years. While this data correction increased the absolute survival levels, it had only minimal effect on the relative changes in juvenile survival being used by NMFS as evaluation criteria during consultation.

The analyses performed during April and early May of updated water condition projections showed substantial changes both up and down in the projected juvenile survival improvements for 1993 relative to the average survival modeled for the 1986–90 baseline period. These survival changes were the result of changes in projected water conditions based on changes in the weather as opposed to changes in proposed river management actions. The effect of changes in the weather on the evaluation of river management actions raised significant concerns about the appropriateness of

using the survival in 1986–1990 as a baseline for comparisons instead of the 1986–1990 management actions with the current year's water conditions (which was used in 1992 consultations).

The final analyses provided to NMFS dated May 10 showed substantial improvements in juvenile survival for 1993 conditions relative to the average survival in 1986–1990. This analysis showed relative increases in juvenile survival of 18, 20, and 71 percent for spring, summer, and fall chinook respectively.

b. Evaluation of additional analyses conducted during consultation. The additional analysis conducted during consultation with NMFS supported BPA's analysis of spring, summer, and fall chinook juvenile passage survival and adult spawning escapement trends provided in the BA for 1993 River Operations. Both sets of analyses showed substantial improvements in juvenile survival for all three chinook species. In addition, life-cycle model projections indicate that the improvements in juvenile survival, in combination with other life stage improvements should lead to reversal of the near-term population decline and increased future population levels.

c. Issues regarding NMFS application of models. NMFS' application of biological models and development of supporting documentation provide a valuable record of the science applied in the Biological Opinion. The model analyses provide estimates of the effects of future actions on the survival of listed species critical to evaluation of alternatives. BPA fully supports the continued use and development of modeling tools and supporting biological data and collection of biological survival data (see discussion in Appendix D, about Conservation Measure G). Uncertainty in model projections should be reduced through future survival studies and increased monitoring and evaluation of salmon enhancement measures.

BPA has some concerns with NMFS' application of model results in their analysis, which we believe could be improved. These concerns include problems with the base period survival levels used in the analysis, assumptions on the effects certain actions may have on life stage survivals, and the use of changes in mortality instead of changes in survival as a criterion. In addition, NMFS makes some incorrect interpretations in the evaluation of model output from CRiSP and SLCM and in the comparison of different models used in the analyses. These issues are discussed in detail in Appendix D, "Issues Regarding NMFS' Application of Models."

3. Use of Flow to Benefit Fish

In NMFS' Incidental Take Statement, flow is the primary mechanism for improving the survival rate of the listed species during their downstream migration through the Snake and Columbia Rivers. FCRPS B.O. at pp. 91–92. NMFS prefers streamflows that meet or exceed:

Snake River

- 85 kcfs at Lower Granite from April 30 through June 20;
- 50 kcfs at Lower Granite from June 21 through July 31;

Columbia River

- 200 kcfs at McNary Dam from April 20 through June 30;
- 160 kcfs of McNary Dam from July 1 through July 31.

These figures represent a substantial increase in flow levels over 1992. The increased flow levels for summer periods are particularly difficult to achieve at a time when the Columbia River system is experiencing one of the worst droughts in recorded history. They also jeopardize attempts to help returning fall adults, which studies show to be at significant risk.

NMFS' biological justification for *spring* flows—Those from mid-April through late June—is based on (1) increasing the migration rate and (2) flow/survival data from the 1970s. NMFS states that slow migration increases exposure to predators and water quality problems, such as high dissolved gas levels; may cause juveniles to lose the urge to migrate; and increases the chances of juveniles entering the Columbia estuary during less favorable environmental conditions than would be the case with a faster migration. NMFS then cites Petrosky's (1991) work relating Marsh Creek chinook adult returns to flow condition during juvenile outmigration. Flow/survival relationships described by Sims and Ossiander (1981) form the basis for NMFS' recommended flow levels.

NMFS' biological justification for *summer* flows—those from late June through July—is based solely on purported benefits of increasing the migration rate, since there are *no data* on the relationship between flow and survival of subyearling smolts. NMFS cites the work of Berggren and Filardo (1991) as showing that decreased travel time of subyearling chinook was related to increased flows, provided smoltification was considered. NMFS hypothesizes that decreased travel time leads to higher survival because "faster movement of smolts should place them in the reservoirs earlier in the season, when water temperatures are low * * *" (NMFS, 1993a). Since predation rate is positively related to temperature (Vigg and Burley 1991) and fish guidance efficiency is inversely related to temperature (e.g., Kcrma et al. 1985), NMFS concludes that decreased travel time is beneficial. NMFS prioritizes use of summer flow augmentation for downstream migrant juvenile fish over upstream migrant adult fish.

This section of the ROD explains the important distinction between minimum flow levels and water volumes; discusses information on the effect of flow on smolt survival; offers suggestions for improving flow management; and describes impacts to the FCRPS of implementing the B.O. The points raised are discussed in detail, along with comments on other flow proposals, in Appendix C.

a. Water volume versus flow level concepts. A "flow level" concept potentially differs dramatically from a "water volume" concept. A flow level concept potentially requires that flow levels at predetermined locations meet or exceed a minimum level during a specified period of time regardless of the volume of water available to meet those flows. BPA does not support implementation of flow levels.

Use of flow levels raises two major concerns: (1) Biological Assessment analyses show that the proposed 1993 FCRPS operations, which include water volumes set aside for juvenile fish flow augmentation, avoided jeopardy to the continued existence of listed Snake River stocks according to NMFS' own standards; and (2) available data, although inconclusive, suggest that the proposed flow levels will not improve measurably juvenile or adult migration survival of listed Snake River stocks beyond that achieved by the water volumes provided by the proposed action.

BPA supports actions proposed in the BA for 1993 and subsequent years, including the Water Budget/volume concept for juvenile fish flow augmentation. See section VI. of this ROD and Appendix C. This action will provide continued improvement in FCRPS operation, resulting in improved juvenile and adult migration survival for all Snake and Columbia River salmonids.

b. Effect of Flow on Smolt Survival

Analysis of NMFS' Biological Basis for Spring Flows

- Once yearling have initiated directed migration, they appear to migrate faster with increased flows in the Snake River. However,

the relationship between travel time and smolt survival is uncertain.

• Existing flow/survival data on spring yearling outmigrants, such as Sims and Ossiander (1981), may provide general indicators of the effects of flow on survival in the Snake River. However, BPA has serious concerns about the level of uncertainty in the flow/survival and travel time/survival relationships that have been developed from these data. The original studies had substantial problems in study designs, sampling errors, and changing environmental conditions between study years. The development of reservoir specific survival relationships relies on a large number of outdated assumptions on dam passage survival during the years of the studies. In addition, these data and relationships were not corrected for fish collected and transported during the study years.

At most, these "best available" data should only be used to estimate relative changes in survival, and the uncertainty in the data should be recognized in any quantitative analyses supporting water management decisions for downstream migrant fish. Other factors in addition to river flows need to be considered in evaluating fish survival.

• Adult return data are important, but cannot be used to assess the benefits of water velocity for smolt survival.

Analysis of NMFS' Biological Justification for Summer Flows

• No flow/survival data exist for subyearling fish in the Snake and Columbia rivers. In lieu of survival data, fish managers have used travel time as a surrogate.

• We disagree with NMFS that flow is a good predictor of subyearling chinook travel time. In fact, reserach by NMFS in the John Day pool refutes this contention (Sims and Miller 1982; Miller and Sims 1983 and 1984.)

• Smolt development and temperature probably play a more influential role in determining subyearling migration behavior than flow. Only when these two variables are included can the migratory behavior of subyearlings be described.

• Exposure to predators in-river is probably decreased as travel time decreases, although benefits to survival have not been empirically quantified.

• The biological window for entry to the estuary is probably quite large, although this topic should be investigated.

• Priority should be given to studying the efficacy of augmenting flows in summer for temperature control to benefit adults.

Multiple Environmental Factors Affect Smolt Survival, Not Just Flow

It is a mistake to focus almost exclusively on flow to protect listed species because other environmental and physical factors, both riverine and marine, affect smolt survival. Water temperature, degree of smoltification, gas supersaturation, and bypass outfall location are all known to have significant impacts. And, these variables are interrelated. For example, travel time is related to level of smoltification which is related to temperature and photoperiod. Smolt survival is affected by a complex suite of variables; flow is not the only one.

Because multiple environmental factors affect smolt survival, a more holistic, ecosystem approach is necessary to improve fish survival. Especially important may be other biotic factors such as predators and competitors. Information related to the mainstem Lower Snake and Columbia Rivers as an ecosystem are critical.

Statistically Valid Information on Smolt Survival Is Essential

After three decades of research, the region still lacks necessary information on flow/survival relationships. We are optimistic, however, that recently developed statistical tools and tagging techniques will provide increasingly reliable estimates of smolt survival. Survival data will allow us to measure the benefits of actions, such as flow augmentation, designed to improve fish survival in-river. Progress toward rebuilding salmon stocks is dependent on being able to identify the magnitude, location, and mechanisms affecting smolt survival. Such data are critical for making major water management decisions to protect and enhance salmon and steelhead populations on a sound scientific basis.

c. Improved flow management to benefit fish. BPA supports the following measures to improve flow management so that the limited flow resources can be used as effectively as possible to benefit fish:

• Pulse flows, especially in the Snake River. Because of limited storage capability, particularly in the Snake River, flow augmentation cannot be provided for the entire wild juvenile fish migration period that spans several months. Given this situation, an alternative water use strategy, called pulsing, was proposed by BPA biologists in 1990. BPA suggested that flows be "pulsed" as a method of moving juvenile fish downstream to transportation collector dams more effectively. Flow augmentation releases would be made for several days and then rescinded for several days. This on-and-off pattern would be repeated throughout the flow augmentation period. Pulsing flow augmentation releases would provide increased flow levels for wild stocks throughout a greater proportion of their migration period.

• Augment flows when stocks that respond are present. Flows may not need to be augmented for wild summer chinook juveniles, the earliest migrants in the Snake River system. These fish readily move downstream even in very low flow conditions (Achord 1992 and Mathews et al. 1990 and 1992). The limited water supply may be better used for spring chinook in early to mid May. Flow augmentation should be targeted at the stocks most likely to respond to augmentation.

• Obtain Real-time monitoring Data. To allocate more efficiently the limited water supply, we need to use real-time monitoring data from the natal streams and monitoring stations along the river as juvenile fish migrate to the ocean. Data suggest that real-time monitoring could help to allocate more efficiently available flows (e.g., Rondorf and Miller 1993).

d. Physical constraints of reservoir storage. NMFS recommendations are difficult to meet, given the physical constraints of the Columbia River. The Columbia River system has limited reservoir storage capacity. Total Columbia River storage is 55.3 MAF. Of this total, Snake River storage capacity is only approximately 11 MAF. Only 2 MAF is available from Dworshak Reservoir, and 1 MAF is available from Brownlee Dam, which is controlled by a private entity, the Idaho Power Company. The remaining 8 MAF of storage capacity in the Snake River is divided among 26 reservoirs in the Snake River above Brownlee Dam.

These limitations and weather vagaries render it challenging to provide the flows that NMFS estimates in 1993. To do so, the Dworshak, Hungry Horse, and Libby Reservoirs may have to be drawn far below normal water levels. Recreation, irrigation, and other uses will also be adversely affected. Action agencies are faced, at the Libby Reservoir, with the difficult challenge of managing reservoir operations for juvenile salmon migration while also providing outflows of water believed by the USFWS to be needed for white sturgeon, a candidate ESA species which resides in the Kootenai River below Libby Dam.

As difficult as it is to provide NMFS flow levels contained in the Incidental Take statement, it could be physically impossible to provide the flow levels that NMFS recommends for future consideration as a conservation measure without literally draining the storage reservoirs. (NMFS Biological Opinion, Section VIII.B.6. at p. 70)

The practical effects on a multi-purpose river system are obvious: resident fish and wildlife, irrigation, recreation, transportation, and power use must be curtailed or severely restricted so that reservoirs can be drafted to provide flow for migrating listed species.[8]

[8] Power users are particularly at risk; if winter storms do not refill the reservoirs, BPA will be unable to call on hydro power to meet Northwest electric needs. The hydro system comprises 94.6% of BPA total electric capacity. The economic costs of operational measures are expected to cost BPA ratepayers. For additional information, see Appendix C.

e. Impacts to FCRPS of Implementing Flow Levels in BO.

Discussion of Additional July Measures Added to the Biological Opinion by Letter. During the consultation process, NMFS identified several measures that they expected could minimize incidental take of the Snake River juvenile fall chinook in July. The action agencies agreed to pursue implementation of the measures, and BPA has assessed their effect. The additional excess energy produced by these measures is estimated to be about 2500 average megawatts. The net cost of the group of measures to the federal system is expected to range from $10–15 million if BPA succeeds in signing contracts with other utilities to exchange about 1100 average megawatts in July.

Effects on FCRPS of implementing the flow levels in Measure 1 of the incidental take statement. In their Biological Opinion on 1993 operations of the hydrosystem, NMFS recommends flow levels in the lower Snake and Columbia Rivers. They described the flow levels in Section VI as: 85 kcfs in the Snake River between April 10 and June 20; 50 kcfs in the Snake River between June 21 and July 31; 200 kcfs in the lower Columbia River between April 20 and June 30; and 160 cfs in the lower Columbia River between July 1 and July 31. Further, they recommended these flow levels on a biweekly average basis.

Recent water projections indicate that natural streamflows may result in flows lower than the flow levels described above. If so, the additional costs could be $50–60 million. Consequently, as described in Measure 1.a(1) of the incidental take statement (FCRPS B.O. at 91), the operating agencies and NMFS are engaged in an inseason management process to determine how to shape available water augmentation volumes based on real time information regarding the timing of juvenile salmon migration.

BPA also analyzed the effects on FCRPS of implementing flow levels, which were greater than the ones in the 1993 Plan, described by NMFS in the Conservation Recommendations section of the 1993 B.O. To summarize, the increased annual net cost would average 83 million dollars with single year impacts ranging from $0–430 million. In addition, these increased flow levels would produce severe impacts to the ecology of storage reservoirs and economies of the communities that depend on them. The FCRPS does not have the storage capacity to allow operators to meet NMFS Conservation recommendations much of the time. See Appendix C.

f. Summary. In conclusion, BPA believes that the biological basis for NMFS' flow recommendations is weak and, even if it was not, there are severe physical constraints on storage capacity of FCRPS that may preclude the operating agencies from meeting the targets in some years. BPA agrees that adequate quality and quantity of flow is important for fish survival. The key questions are: how much flow is required and when is it needed? We encourage the region to strive to obtain definitive scientific data to answer these questions.

4. Review of Non-Flow Measures

a. Introduction. There are other measures, besides flow, that are important to rebuilding the Snake River stocks. BPA supports such actions as: spill, transportation, peak efficiency, predator control, juvenile and adult bypass improvements. These measures, which are described briefly below, are discussed in detail in Appendix E.

b. Spill. Spill is an interim strategy to improve juvenile fish migration conditions at dams. Available information, however, indicates when spill levels are too high, both juvenile and adult fish passage conditions may be compromised by adverse hydraulic conditions and/or excessive gas supersaturation. Therefore, it is imperative to consider potential negative effects of spill when spill levels are established. In some cases, spill levels necessary to achieve 70/50 or 80/70 percent FPE standards result in detrimental conditions to fish. These detrimental effects may diminish the anticipated benefit of spill to project passage survival, and in some cases, could result in overall decreases in fish survival.

Since 1989, spill for fish passage has been based on the 1989 Fish Spill Memorandum of Agreement (MOA) and consultation with NMFS. In addition, the operating agencies provided spill for fish passage at Bonneville Dam beginning in 1992. In 1993, BPA will manage water to meet the following spill provisions:

TABLE 1.—1993 SPILL FOR FISH PASSAGE

Project	Spring			Summer		
	Dates	Hours	Amount	Dates	Hours	Amount
Bonneville [1]	4/15–6/14	24 h/d	50%	6/15–8/31	24 h/d	40%
The Dalles [2]	5/1–6/6	24 h/d	10	6/7–8/23	24 h/d	5
John Day [3]	5/1–6/6	0	0	6/7–8/23	2000–0600	30
Ice Harbor [4]	4/15–5/31	1800–0600	60	6/1–8/23	1800–0600	30

[1] Based on the Corps' 1993 Fish Passage Plan.
[2] Based on the 1989 Fish Spill Memorandum of Agreement; spill typically occurs from 2000—0400.
[3] Based on the 1989 Fish Spill Memorandum of Agreement.
[4] Based on consultation with National Marine Fisheries and the 1993 Biological Opinion on Operation of the FCRPS.

Note: Planned fish spill is not provided at McNary, Lower Monumental, Little Goose, or Lower Granite Dams. Actual spill may be modified following consultation with NMFS if of gas bubble disease or excessive total dissolved gas levels are observed.

c. Transportation. BPA supports a full transportation program consistent with 1993 planned operations as described in the 1993 FCRPS Biological Assessment.

d. Peak efficiency. BPA will make load requests consistent with "Bonneville Power Administration's System Load Shaping Guidelines to Enable Operating Turbines at Peak Efficiency". The Guidelines enable operating turbines within 1 percent of peak efficiency under most conditions during the fish migration but allow turbine operations outside peak efficiency under some specified conditions.

e. Predator control. BPA will continue to fund the fishery agencies and Tribes to implement the Squawfish Management Program in 1993 as follows:

(1) *Sport-reward fishery.* This fishery ranges from the mainstem Columbia and Snake Rivers up to Hell's Canyon on the

Snake River and Priest Rapids Dam on the Mid-Columbia.

(2) Dam Angling. This fishery occurs at the eight Federal mainstem dams.

(3) Responsible utilization of harvested squawfish.

(4) Research on predator-prey dynamics.

(5) Evaluation of the effectiveness of the program.

(6) Development of prey protection aimed at reducing predator-prey encounters and predator feeding efficiency.

f. Juvenile and adult passage improvements. To improve the juvenile and adult passage systems during 1993, BPA supports the Corps in the following work:

(1) At Bonneville Dam, because of the poor performance of the juvenile bypass facilities for subyearling chinook in terms of both fish guidance efficiency and fish survival, the Corps plans to remove all submersible traveling screens from both powerhouses during the summer migration season as an interim action to improve passage survival. Researchers will also evaluate fish guidance efficiency of new bypass improvements at the second powerhouse and determine fish passage survival through the first powerhouse bypass.

(2) At the Dalles Dam, evaluate fish guidance efficiency of prototype extended-length screens.

(3) At McNary Dam, continue testing prototype extended-length screens for the juvenile bypass facility.

(4) At Ice Harbor Dam, approximately 2,000 cfs will be discharged through the ice and trash sluiceway for 24 hours per day during the juvenile passage season. New traveling screens will be installed in all turbine units and fish will exit gatewells through new 14-inch orifices. This will be an interim operation until a new juvenile fish bypass facility is completed in 1995 (see Corps' Biological Assessment on Interim Operations of Ice Harbor, October 1992).

(5) At Lower Monumental Dam, conduct tests on juvenile fish passage through the outfall pipe and holding and loading facilities.

(6) At Little Goose Dam, evaluate fish guidance efficiency of prototype extended-length screens.

(7) Corps' Fish Passage Plan.

(8) Corps' Project Improvements for Endangered Species Program.

5. Standard for Avoidance of Jeopardy

NMFS' standard for avoidance of jeopardy calls for reductions in human-induced mortality by each action agency. In addition, overall reductions in human-induced mortality by action agencies and others must be sufficient to provide reasonable certainty of a reversal of population declines.

BPA supports this concept. The region must achieve a reversal of population declines, and each actor must contribute to this reversal by reducing mortality (or increasing survival) resulting from its actions. However, BPA has concerns with potential misapplication of this concept. Brief descriptions of three concerns follow.

First, BPA believes that NMFS underestimates the increases in survival (and reductions in human-induced mortality) achieved by the operating agencies. This underestimation potentially leads the operating agencies to undertake more measures than necessary to avoid jeopardy.

Second, NMFS tends to focus on projections of flow levels, which will vary with natural conditions. This emphasis raises a concern that NMFS might misapply the no-jeopardy concept by ignoring the fact that actual flows will sometimes be above and sometimes below earlier projections and instead construe prior projections of flows as conditions for avoiding jeopardy.

Third, NMFS' application of the standard allows for continued population declines over the short term before stabilization occurs. Given the low populations of the listed species, continued declines expose the species to continued demographic risks of extinction. Consequently, BPA favors consideration of a more rigorous application of the standard that averts short-term declines. One example for consideration is annual increases in a rolling three-year median escapement. Such a standard places more emphasis upon measures with near term benefits upon the listed species, such as reduced harvest and improved passage conditions for returning adults.

For a more complete consideration of these concerns, see Appendix A of this ROD, which is entitled, "Review of NMFS No- Jeopardy Standard."

6. Fishery Management

Improvements in fishery management are critical to improvements in spawning escapement and survival of the listed species. Current management regimes could achieve dramatic increases in escapement over the short term. In Appendix E, entitled *Review of Fishery Management*, identifies changes in fishery management that could achieve these increases.

7. Critical Habitat

Federal agencies have a responsibility to ensure that their actions are not likely to result in the destruction or adverse modification of critical habitat of listed species. 16 U.S.C. 1536(a)(2). Recently NMFS proposed designations of critical habitat for Snake River sockeye, spring/summer chinook, and fall chinook. 57 FR 57051 (Dec. 2, 1992). To assist decisionmaking, the action agencies have treated the proposed designation of critical habitat as though it were final and included the ocean, watersheds, and water from the Upper Snake River. BPA actions affect the river system habitat of listed species.

The regulatory definition of the destruction or adverse modification of critical habitat is similar to that for jeopardy. 50 C.F.R. 402.02. Consequently, BPA's review of impacts on the listed species encompasses analysis of impacts on critical habitat. The operating agencies have engaged in extensive consultation with NMFS to consider whether the proposed action jeopardizes the continued existence of the species or results in the destruction or adverse modification of their critical habitat.

Critical habitat interacts with population demographics to determine the reproductive potential and future population trajectory of a listed salmon species. In its comments to NMFS, BPA (1993a) documented its rationale for adding areas to NMFS' proposed designation of critical habitat.

NMFS proposed for designation as critical habitat the lower reaches of the mainstem Clearwater River. 57 FR 57051 (Dec. 2, 1992). In addition, BPA (1993a) recommended to NMFS that additional areas of the Clearwater River system should be included as critical habitat for fall chinook. This essential habitat includes the upstream areas of the mainstem Clearwater that are accessible to and utilized by fall chinook spawners, and the water quantity and quality attributes from the inaccessible areas of the Northfork Clearwater River above Dworshak Dam (BPA 1993a, pages 12–16). Natural production in the essential spawning and rearing habitats is needed for the fall chinook populations to stabilize in the near term, and eventually recover. The lower Clearwater River has extensive spawning and rearing habitat available for fall chinook which is currently not being seeded due to low spawners escapement (Arnsberg et al. 1992). Cramer and Neeley (1993) estimated that the run size of fall chinook salmon to the Snake River would be 40 times higher (about 200,000 vs. 5,000 adults) if habitat in the Clearwater Basin were seeded.

Both quantity and quality issues are important to the critical habitat of

spring/summer chinook since available spawning and rearing habitat is not currently seeded due to low escapement (IDFG 1992), and the habitat essential for the survival and recovery of the species is substantially degraded (Chapman and Witty 1993). The critical spawning and rearing habitat for Snake River spring/summer chinook is much more extensive than for fall chinook: It includes the entire Grande Ronde, Imnaha, Salmon, and Tucannon subbasins, and Asotin, Granite, and Sheep creeks. 57 FR 57051 (Dec. 2, 1992). In its comments to NMFS, BPA (1993a) documented the rationale for including the accessible portions of the Clearwater Basin for spring/summer chinook spawning and rearing critical habitat.

Chapman and Witty (1993) analyzed the effects of various factors causing degradation of essential spawning, rearing, and migratory habitat for Snake River spring/summer chinook salmon, and recommended mitigative actions to improve survival and promote recovery. Enhancement actions proposed by Chapman and Witty (1993) include elements relating to: (a) enhancement and monitoring of: Instream flows, water quality, and temperatures; (b) use of flow augmentation based on the results of reach flow-survival research; (c) implementation of land and water management policy in accordance with federal regulations (e.g., Forest Practices Act (USFS guidelines and Best Management Practices), Dredge and Placer Mining Act, Surface Mining Act, Stream Channel Protection Act, and Clean Water Act); (d) hatchery reform and evaluation ; and (e) research to address critical uncertainties (also see Whitney et al. 1993b).

VI. Administrator's Decision

Based upon the administrative record, including the 1993 SEIS, the FCRPS BA, the FCRPS B.O. and this ROD, BPA has decided to implement the proposed action for reservoir regulation and project operations for 1993 and future years. The selected action is a modification of the Preferred Alternative identified in the SEIS, however, the environmental impacts of the selected action are substantially the same as those analyzed within the accompanying NEPA documentation, particularly within Alternative 4 of the SEIS. Additionally, BPA has further evaluated impacts associated with the selected action, as noted in Appendix C. The selected action is the environmentally preferred alternative because it provides optimal benefits for fish and wildlife. In selecting this action, BPA has adopted all practical means to avoid or minimize environmental harm.

Proposed FCRPS Operations for 1993 and Future Years

The proposed actions are grouped into several categories: flow-related actions, spill-related actions, and non-flow measures. Although the action agencies coordinate their activities in the operation and management of the FCRPS, discrete agency actions are identified for purposes of determining statutory and contractual responsibility.

1. Flow-Related Actions

Flow-related actions are reservoir operations, flow augmentation, and flood control transfers. Under reservoir operations, the Corps will operate the four lower Snake River projects (Ice Harbor, Lower Monumental, Little Goose, and Lower Granite) near minimum operating pool from April 1 to July 31. The Corps will operate the three lower Columbia River reservoirs (Bonneville, McNary, and the Dalles) in the normal operating range, and the John Day reservoir will be lowered to minimum irrigation pool from May 1 to August 31, unless higher pool levels are required to avoid impacts to irrigation intake facilities on the reservoir.

Flow augmentation actions involve releases of water in addition to minimum operating flows. BPA proposes to augment lower Columbia River flows from May 1 to June 30 by increasing the 3.45 Million Acre Feet (MAF) Water Budget releases with additional flow augmentation of up to 3.0 MAF with releases from Arrow reservoir and from the BOR-operated Grand Coulee reservoir. However, BPA and BOR will retain the ability to shift up to 1.0 MAF from the 3.0 MAF spring augmentation to the summer period of July 1 to July 30. The additional storage will be obtained if required through power purchase and exchange activities, with associated storage carried out by BPA. Brownlee operation will reflect historical releases plus 110 thousand acre feet (KAF) Water Budget releases in May.

In addition, BPA expects to enter into an agreement to arrange firm releases of NTSA water from BCH in the July period to increase summer flows in the lower Columbia River up to 10 kcfs. To increase these flows an additional 4 cubic feet per second (kcfs), BOR has agreed to provide an additional 3 feet of draft at Grand Coulee in July.[9]

[9] Water is "drafted" from a reservoir when it is released from a storage reservoir. Grand Coulee is a storage reservoir. Other projects, like the 4 lower Snake River projects are "run of the river" projects meaning that they have no storage capability.

At Dworshak reservoir on the north fork of the Clearwater River in Idaho, the Corps will provide supplemental releases of 1,000 MAF from April 10 to June 20, plus minimum flows of 1.2 kcfs if the runoff forecast is 16 MAF or less.[10] If the runoff forecast is greater than 16 MAF, 924 KAF will be available for flow augmentation, subject to refill and resulting flows at Lower Granite Dam. *Id.* The Corpsas also agreed to retain flexibility to shift a portion of the spring flow augmentation water to the June 21 to July 31 period to aid juvenile fall chinook. *Id.* From June 21 to September 30, the Corps will provide 470 KAF, above 1.2 kcfs minimum discharge, which includes an additional release of up to 200 KAF above 1.2 kcfs in July and/or August to benefit summer juvenile migrants and/or adult migrants. *Id.*

To ensure a high probability of being on flood control rule curve by April 1994, the Corps will maintain 1.2 kcfs discharge from October through April, unless higher discharges are required for flood control or for short-term power emergencies.[11] On December 15, the Corps will seek to be at the 1,558 foot elevation in the reservoir, which is the winter flood draft maximum elevation. This Dworshak operation will allow more flexibility by providing more water that can be shaped on a short-term basis.

For the April 15 to June 15 period, the Bureau and BPA will arrange for the release of up to 190 KAF from Bureau projects and upper Snake River water banks, respectively. The availability of water for rental is dependent upon water surplus to irrigation demands. The Bureau has also agreed to retain the flexibility to shift a portion of the spring Snake River augmentation water to the June 21 to July 31 summer period. BPA and Bureau will arrange with Idaho Power Company (IPC) for the release of up to 137 KAF of storage from Brownlee reservoir in July. This release is dependent upon refill of the 137 KAF amount in Brownlee reservoir in August from uncontracted storage with Bureau projects and surplus irrigation water made available for flow augmentation from Idaho water banks. IPC has also agreed to release up to 100 KAF from Brownlee reservoir during the

[10] Dworshak is a project with a significant reservoir. Historically, the Dworshak reservoir has been maintained at a higher pool elvation than will be possible under the NMFS Biological Opinion. The higher elevation allowed recreational opportunities. Now Dworshak is being drawndown significantly to support increased Snake River flows, to the detriment of recreation.

[11] Flood control rule curve is a curve, or family of curves, indicating reservoir drawdown required to control floods.

September 1–30 period for temperature control. Likewise during this period, BPA and BOR will arrange for the release of 100 KAF from the upper Snake River basin for temperature control. This release may be dependent upon the availability of surplus irrigation water in the upper Snake River Basin.

Flow augmentation can be enhanced by flood control transfers, which involve shifting system flood control storage capacity from one reservoir to another. If the April forecast predicts runoff to Dworshak of 3.0 MAF or less between April 15 and 30, the COE will shift Dworshak system flood control requirements to the BOR Grand Coulee reservoir. If necessary, Brownlee system flood control requirements will also be transferred to Grand Coulee.

To replace or mitigate the lost hydroelectric generation caused by any of these flow-related actions, BPA will purchase or exchange amounts of power equivalent to the amounts that would have been generated if the additional water stored for flow augmentation or the amounts spilled had been available for power production.

2. Spill-Related Actions

Spill is the passage of water over a project spillway without going through the turbines to produce electricity. Spill can be forced, when there is no storage capability and flows exceed turbine capacity. The spill actions which are the subject of this record of decision, however, are planned. They will spill water to aid the migration of downstream juveniles. Juvenile survival is known to be increased when fish are spilled over a dam which does not have adequate fish bypass facilities. However, spill also increases nitrogen supersaturation in water, which can adversely affect fish.

Pursuant to a Spill Agreement previously executed by BPA fish agencies and Tribes, and the April 1992 Biological Opinion, BPA will request, and the Corps will implement, spill at The Dalles, John Day, and Ice Harbor dams.[12] Spill at Bonneville dam will be in accordance with the Corps' 1993 Fish Passage Plan (FPP). Fish agencies and Tribes will make spill requests through the Fish Passage Center, a BPA funded entity. The COE will continue to operate the Dissolved Gas Monitoring Program. The program provides automated measurements of dissolved gas concentrations from 23 stations along the river system. In 1993, spill for fish passage will not be provided at the Lower Granite, Little Goose, Lower Monumental, and McNary projects. Spill is not needed at these facilities because juvenile salmon are being collected and transported by barge from these facilities.[13]

3. Non-Flow Measures

In addition to flow- and spill-related actions proposed by the FCRPS agencies, BPA, the Corps and Bureau undertake other measures within their respective statutory authorities to improve conditions for weak anadromous stocks, especially the listed species. A full description of these measures for 1993 is contained in Appendix A of the Biological Assessment. (SEIS Appendix J). Some of these measures were implemented before the Snake River salmon listings occurred, and some have been undertaken in response to the listings. For example, the Corps will continue or undertake (1) the Project Improvements for Endangered Species Program; (2) the operation and maintenance of various juvenile and adult fish passage facilities, such as fish bypasses, spillways, sluiceways, and fish ladders; (3) the Fish Transportation Program; (4) coordinated fish hatchery releases; (5) and various research and monitoring efforts. For details of these non-low project operations, see the 1993 FPP.

In 1993, BPA will continue funding numerous measures to protect, mitigate, and enhance weak and listed stocks. Because squawfish are the primary predator of juvenile salmon in the hydrosystem, BPA will continue to fund a multi-faceted program to reduce squawfish predation, including removal fisheries, harvest technology research, prey protection measures, and basic biological research. BPA will also continue enhanced law enforcement of illegal fisheries. A multi-jurisdiction police force now operates at full capacity and will do so again in 1993.

BPA will also continue to fund the Smolt Monitoring/Water Budget Management Program. Mainstem passage Passive Integrated Transponder (PIT) tag data will again be used for making real time decisions related to this program. PIT tags enable the investigation of the relationships among flows, spill, travel time, smolt condition, smolt survival, and adult production. Time series PIT tag data are used to evaluate the effectiveness of the Water Budget and related actions. In 1993, a pilot study will utilize PIT tag technology and new analytical approaches to estimate smolt survival and travel time in the Lower Snake River. If successful, research will continue in 1994, 1995 and 1996, the findings may be applied toward determining survival estimates for wild chinook salmon migrants.

FCRPS water and power management and transmission system operations by BPA will be subject to these proposed actions, unless emergency conditions or changed conditions warrant modified operations. In the event that either of the latter circumstances should occur, BPA and other action agencies will reinitiate consultation with NMFS, and other action agencies.

B. The Proposed Action Complies With the ESA and Is Consistent With the FCRPS BO

Considering all of this information and factors, as well as the professional judgment of its scientists, BPA believes that the action proposed by the operating agencies increases the survival (and reduces the mortality) of Snake River sockeye, spring/summer chinook, and fall chinook. BPA's analyses during consultation with NMFS substantiates the results expressed in the FCRPS BA. For Snake River sockeye, the increase in survival (or reduction in mortality) resulting from proposed operations, combined with the benefits of the captive broodstock program, show that FCRPS operations are not likely to reduce appreciably the likelihood of survival. For Snake River spring/summer chinook and fall chinook, the proposed operations significantly improve survival (or reduce mortality) relative to the 1986–1990 base period, and combined effects analysis shows a reasonable certainty that populations of these fish will stabilize and increase in the long term.

By reducing mortality relative to a 1986–1990 base period, and because analyses of combined effects shows a reversal of population declines in the long term, the selected action satisfies NMFS' standard for avoiding jeopardy. Given historically low population levels, BPA encourages efforts to avert continued declines in population levels over the near term. Because the selected action includes measures to benefit returning adults, the proposed action would also satisfy a more rigorous

[12] The spill agreement was executed in 1989 and provides that a specific amount of water be passed over the spillways of certain Corps dams to improve juvenile fish passage. The agreement is effective for 10 years or until permanent fish passage facilities, such as screens, can be installed at the dams. BPA ratepayers will repay the cost of the screens as a part of project costs.

[13] Fish transportation is an important part of the fish recovery plan. It is the subject of a separate biological opinion dated April 14, 1993. Studies show that juvenile survival increases when fish are transported. See NMSF Biological Opinion of May 26, 1993 on FCRPS Operations at page 37.

standard that averted the short-term continued population declines.

In addition, BPA's analysis shows the selection action is not likely to result in the destruction or adverse modification of critical habitat of the listed species.

BPA continues to believe that there is no conclusive biological data to support the flow levels advocated by NMFS in the FCRPS B.O. at 4. See Section V.C.3.c and Appendix C of this ROD. As stated in this ROD, the flow/survival relationship has not been biologically established sufficient to justify the flow levels recommended by NMFS. *Id.* at Section V.C.3. However, BPA concludes that the measures the action agencies are undertaking in the course of 1993 hydro operations will be sufficient to reach the result desired by NMFS to use flow augmentation to aid salmon migration and survival.

BPA believes that the long-term, comprehensive recovery plan being developed by the NMFS Salmon Recovery Team will provide the means to guide future federal actions in all sectors to bring about survival and recovery of the Snake River listed salmon species and to protect the region's weak anadromous stocks. BPA looks to the recovery plan and the NPPC Fish and Wildlife Program to enable BPA to undertake cost-effective salmon recovery measures that will achieve recovery under the ESA while meeting BPA's water and power management responsibilities under the Northwest Power Act.

The proposed action has also been fully evaluated for its effect on the listed Snake River salmon species bald eagles, peregrine falkans, grizzly bears, and grey wolves under the ESA in the FCRPS BA. The U.S. Fish and Wildlife Service in its B.O. June 11, 1993, concurred that the proposed operation would not likely adversely affect the grey wolf, grizzly bear, and peregrine falcon, and would not likely jeopardize the continued existence of the bald eagle. BPA concurs with this conclusion.

Issued in Portland, Oregon, on July 2, 1993.

Randall W. Hardy,

Administrator.

[FR Doc. 93–17316 Filed 7–23–93; 8:45 am]

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federal register

Monday
July 26, 1993

Part VI

Federal Emergency Management Agency

United States Fire Administration

Changes to the Hotel and Motel Fire Safety Act National Master List; Notice

FEDERAL EMERGENCY MANAGEMENT AGENCY

United States Fire Administration

Changes to the Hotel and Motel Fire Safety Act National Master List

AGENCY: United States Fire Administration, FEMA.

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency (FEMA or Agency) gives notice of additions and corrections/changes to, and deletions from, the national master list of places of public accommodations which meet the fire prevention and control guidelines under the Hotel and Motel Fire Safety Act.

EFFECTIVE DATE: August 25, 1993.

ADDRESSES: Comments on the master list are invited and may be addressed to the Rules Docket Clerk, Federal Emergency Management Agency, 500 C Street, SW., room 840, Washington, DC 20472, (fax) (202) 646–4536. To be added to the National Master List, or to make any other change to the list, see Supplemental Information below.

FOR FURTHER INFORMATION CONTACT: Larry Maruskin, Office of Fire Prevention and Arson Control, United States Fire Administration, Federal Emergency Management Agency, National Emergency Training Center, 16825 South Seton Avenue, Emmitsburg, MD 21727, (301) 447–1141.

SUPPLEMENTARY INFORMATION: Acting under the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. 2201 note, the United States Fire Administration has worked with each State to compile a national master list of all of the places of public accommodation affecting commerce located in each State that meet the requirements of the guidelines under the Act. FEMA published the national master list in the **Federal Register** on Tuesday, November 24, 1992, 57 FR 55314, and published changes five times previously.

Parties wishing to be added to the National Master List, or to make any other change, should contact the State office or official responsible for compiling listings of properties which comply with the Hotel and Motel Fire Safety Act. A list of State contacts was published in 58 FR 17020 on March 31, 1993. If the published list is unavailable to you, the State Fire Marshal's office can direct you to the appropriate office. Periodically FEMA will update and redistribute the national master list to incorporate additions and corrections/changes to the list, and deletions from the list, that are received from the State offices.

Each update contains or may contain three categories: "Additions;" "Corrections/changes;" and "Deletions." For the purposes of the updates, the three categories mean and include the following:

"Additions" are either names of properties submitted by a State but inadvertently omitted from the initial master list or names of properties submitted by a State after publication of the initial master list;

"Corrections/changes" are corrections to property names, addresses or telephone numbers previously published or changes to previously published information directed by the State, such as changes of address or telephone numbers, or spelling corrections; and

"Deletions" are entries previously submitted by a State and published in the national master list or an update to the national master list, but subsequently removed from the list at the direction of the State.

Copies of the national master list and its updates may be obtained by writing to the Government Printing Office, Superintendent of Documents, Washington, DC 20402–9325. When requesting copies please refer to stock number 069–001–00049–1.

The update to the national master list follows below.

Dated: July 21, 1993.

Spence W. Perry,

Acting General Counsel.

HOTEL AND MOTEL FIRE SAFETY ACT NATIONAL MASTER LIST 07/19/93 UPDATE

Property name	PO box/RT No., street address	City, state/zip	Telephone
Additions			
Arizona:			
Point Hilton Resort at Squaw Peak	7677 N. 16th St	Phoenix, AZ 85020	(602) 997–2626
California:			
Holiday Inn Anaheim Center	1221 S. Harbor Blvd	Anaheim, CA 92805	(714) 758–0900
Carlyle Inn	1119 S. Robertson Blvd	Los Angeles, CA 90035	(310) 275–4445
Marina International Hotel	4200 Admiralty Way	Marina Del Rey, CA 90292	(310) 301–2000
Howard Johnson Lodge	4545 Waring Rd	San Diego, CA 92120	(619) 286–7000
Hotel Griffon	155 Stuart St	San Francisco, CA 94105	(415) 495–2100
Hotel Sainte Claire	302 S. Market St	San Jose, CA 95113	(408) 295–2000
Colorado:			
Radisson Inn Colorado Springs North	8110 N. Academy Blvd	Colorado Springs, CO 80920	(719) 598–5770
The Alikar Gardens Resort	1123 Verde Dr	Colorado Springs, CO 80910	(719) 475–2564
Holiday Inn	51359 Hwy. 6 and 24	Glenwood Springs, CO 81601.	(303) 945–8551
Holiday Inn Trinidad	I–25 and Exit 11	Trinidad, CO	(719) 846–4491
Illinois:			
Carlyle L N Restaurant & Motel	Rt. 127 N	Carlyle, IL 62231	(618) 594–2474
Hudson Hotel	5522 S. Indiana	Chicago, IL	(312) 363–8422
Effingham Motel	702 E. Fayette	Effingham, IL 62401	(217) 342–3991
Syamore Motor Lodge	271 E. Dearborn	Havana, IL 62644	(309) 543–4454
Lincoln Country Inn	1750 5th	Lincoln, IL 62656.	
Presidential Inn	3922 S. Harlem Ave	Lyons, IL 60534	(708) 447–2890
Motel 6	2359 69th Ave. Airport Rd	Moline, IL 61265	(309) 764–8711
Ramada Inn QCA	2620 Airport Rd	Moline, IL 61265	(309) 797–1211
Country Host Motel	Monee-Manhatten Rd. at I–57.	Monee, IL 60449	(708) 534–2150
Courtyard by Marriott Naperville	1155 E. Diehl Rd	Naperville, IL 60563	(708) 505–0550

HOTEL AND MOTEL FIRE SAFETY ACT NATIONAL MASTER LIST 07/19/93 UPDATE—Continued

Property name	PO box/RT No., street address	City, state/zip	Telephone
Holiday Inn Naperville	1801 N. Naper Blvd	Naperville, IL 60563	(708) 505–4900
Comfort Inn	3240 Vandever Ave	Pekin, IL 61554	(309) 353–4047
Red Roof Inn South Holland #067	17301 S. Halsted	South Holland, IL 60473	(708) 331–1621
Drury Inn	3180 S. Dirksen Pkwy	Springfield, IL 62703	(217) 529–3900
Best Western Springfield East	3090 Stevenson Dr	Springfield, IL 62703	(217) 529–6611
Holiday Inn Willowbrook	7800 S. Kingery Rd	Willowbrook, IL 60521	(708) 325–6400
Maryland:			
Red Roof Inn #181 Oxon Hill	6170 Oxon Hill Rd	Oxon Hill, Md 20745	(301) 567–8030
Pikesville Hilton Inn	1726 Reisterstown Rd	Pikesville, Md 21208	(410) 653–1100
Red Roof Inn #209	111 W. Timonium Rd	Timonium, MD 21093	(410) 666–0380
Michigan:			
Super 8 Motel Grand Rapids	727 44th St SW	Wyoming, MI 49509	(616) 530–8588
Budgetel Inn #741	2035 Service Dr	Jackson, MI 49201	(517) 789–6000
Super 8 Motel	600 Orleans Blvd	Coldwater, MI 49036	(517) 278–8833
The Ritz Carlton Hotel	300 Town Venter Dr	Dearborn, MI 48126	(313) 441–2000
Days Inn	1500 S. Beacon Blvd	Grand Haven, MI 49417	(616) 842–1999
Holiday Inn Crowne Plaza	5700 28th St. SE	Grand Rapids, MI 49546	(616) 957–1770
Days Inn Lansing South	6501 Pennsylvania	Lansing, MI 48911	(517) 393–1650
Holiday Inn Taylor	20777 Eureka Rd	Taylor, MI 48180	(313) 283–2200
Minnesota:			
Red Roof Inn	12920 Aldrich Ave. S	Burnsville, MN 55337	(612) 890–1420
Missouri:			
Red Roof Inn	3470 Hollenberg Dr	Bridgeton, MO 63044	(314) 291–3350
Holiday Inn Airport West	3551 Pennridge	Bridgeton, MO 63044	(314) 291–5100
Embassy Suites KC International Airport	7640 NW Tiffany Springs Pkwy.	Kansas City, MO 64153	(816) 891–7788
Marriott Residence Inn	2975 Main	Kansas City, MO 64108	(816) 561–3000
Embassy Suites Country Club Plaza	220 W. 43rd St	Kansas City, M0 64111	(816) 756–1720
Lee's Summit Comfort Inn	607 SE Oldham Pkwy	Lee's Summit, MO 64063	(816) 524–8181
Econo Lodge	2611 N. Glenstone	Springfield, MO 65802	(417) 864–3565
Residence Inn	1550 E. Raynell	Springfield, MO 65804	(417) 883–7300
Drury Inn St. Louis Airport	10490 Natural Bridge Rd	St. Louis, MO 63134	(314) 423–7700
Holiday Inn South County Cntway	6921 S. Lindbergh	St. Louis, MO 63125	(314) 469–0666
Holiday Inn St. Louis Convention Center	811 N. 19th St	St. Louis, MO 63101	(314) 421–4000
Nevada:			
Harrah's Las Vegas Casino Hotel	3475 Las Vegas Blvd. S	Las Vegas, NV 89109	(702) 369–5000
Oregon:			
Regency Inn	50 Lowe Rd	Ashland, OR 97520	(503) 482–4700
Peppertree Motel	10720 SW Allen	Beavorton, OR 97005	(503) 641–7477
Best Western Olympic Inn	2627 S. 6th St	Klamath Falls, OR 97603	(503) 882–9665
Texas:			
Kiva Inn	5403 S. 1st	Abilene, TX 79605	(915) 695–2150
Courtyard by Marriott	5660 N. IH–35	Austin, TX 78751	(512) 458–2340
Embassy Suites	4337 S. Padre Island Dr	Corpus Chisti, TX 78411	(512) 853–7899
Embassy Suites Hotel	2727 Stemmons Frwy	Dallas, TX 75207	(214) 630–5332
Radisson Hotel Resort	2211 N. I–35	Denton, TX 76205	(817) 565–8499
Utah:			
Cedar City Holiday Inn	1575 W. 200 N	Cedar City, UT 84720	(801) 586–8888
West Winds Rodeway Inn	525 E. Main St	Green River, UT 84525	(801) 564–3421
Comfort Suites	800 S. Main	Moab, UT 84532	(801) 259–5252
Radisson Suite Hotel	2510 Washington Blvd	Ogden, UT 84401	(801) 627–1900
Comfort Inn	830 N. Main St	Payson, UT 84651	(801) 465–4861
Comfort Inn University	1555 N. Canyon Rd	Provo, UT 84604	(801) 374–6020
Holiday Inn Provo	1460 S. University Ave	Provo, UT 84646	(801) 374–9750
Best Western Executive Inn	280 W. 7200 S	Salt Lake City, UT 84088	(801) 566–4141
Holiday Inn Airport	1659 W. North Temple	Salt Lake City, UT 84116	(801) 533–9000
Quality Inn South	4465 Century Dr.	Salt Lake City, UT 84123	(801) 268–2533
Holiday Inn Resort Hotel	850 S. Bluff	St. George, UT 74770	(801) 628–4235
Vermont:			
Lilac Inn	53 Park St.	Brandon, VT	
Chalet Salzburg	Killington Rd	Killington, VT	
Slovakia Inn	1 Main St	Montgomery Center, VT	
The Inn at Montpelier	147 Main St	Montpelier, VT	
Sunset Motel Unit 88	Rt. 15	Morrisville, VT	
Sunset Motel Unit 89	Rt. 15	Morrisville, VT	
Econo Lodge Office	1960 Shelburne Rd	Shelburne, VT	
Swiss Host Motel Office Building	1272 Williston Rd	South Burlington, VT	(802) 862–5734
Holiday Inn	1068 Williston Rd	South Burlington, VA	
Aimes Motel	Jct. Rt. 2 & 18 St	Johnsbury, VT	
Washington:			
Red Lion Inn Spokane	N. 1100 Sullivan Rd	Veradale, WA 99037	(509) 924–9000

HOTEL AND MOTEL FIRE SAFETY ACT NATIONAL MASTER LIST 07/19/93 UPDATE—Continued

Property name	PO box/RT No., street address	City, state/zip	Telephone
Corrections/Changes			
Colorado:			
Fairfield Inn Denver	1680 S. Colorado Blvd	Denver, CO 80222	(303) 691–2223
Maryland:			
Gaithersburg Hilton Hotel	620 Perry Pkwy	Gaithersburg, MD 20877	(301) 977–8900
Missouri:			
Hampton Inn	11212 N. Newark Cir	Kansas City, MO 64153	(816) 464–5454
Regal Riverfront Hotel St. Louis	200 S. Fourth St	St. Louis, MO 63102	(314) 241–9500
Stouffer Concourse	9801 Natural Bridge	St. Louis, MO 63134	(314) 429–1100
Vermont:			
Greenleaf Inn	Depot St	Chester, VT 05143	(802) 875–3171
Plaza Hotel	PO Box 690 RR. 1	Morrisville, VT 05661	
Sugar House Motor Inn	Rt. 7	New Haven, VT 05472	(802) 388–2770
Carriage House Inn	Rt. 105	North Troy, VT 05859	
Econo Lodge Spruce Building	1961 Shelburne Road	Shelburne, VT	(802) 985–3377
Pal O Mar Motel	2 Linhale Dr	Springfield, VT	
Maple Center Motel	20 Hastings St	St. Johnsbury, VT 05819	(802) 748–2393
Alpenrose Motel	2619 Mountain Rd.	Stowe, VT 05672	(802) 253–7277
Liftline Lodge Berg House	Stratton Mountain Rd.	Stratton Mountain, VT 05360	
Inn at Weston	Rt. 100	Weston, VT 05161	
Pine Crest Motel	Rt. 5, 457 N. Hartland Rd	White River Junction, VT 05001.	
Canterbury House B & B	43 Pleasant St	Woodstock, VT 05091	(802) 457–3843
Deletions			
Iowa:			
Ft. Dodge Holiday Inn	PO Box 1336, 2001 US Hwy. 169 S.	Fort Dodge, IA 50501	(515) 955–3621
Kentucky:			
Drawbridge Estate	Royal Dr. & Buttermilk Pike	Ft. Mitchell, KY 41017	(606) 341–2800
Minnesota:			
Holiday Inn Winona	956 Mankato Ave	Winona, MN 55987	(507) 454–4390

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Part VII

Department of State

Bureau of Consular Affairs

22 CFR Part 41

Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended; Temporary Visitors; Proposed Rule

DEPARTMENT OF STATE

Bureau of Consular Affairs

22 CFR Part 41

[Public Notice 1840]

Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended; Temporary Visitors

AGENCY: Bureau of Consular Affairs, DOS.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: This rule proposes to amend the regulations on visas for temporary visitors by incorporating into regulations many of the principles of B visa (B–1, visitor for business and B–2, visitor for pleasure) status currently set forth in the interpretive notes of Volume 9 of the Foreign Affairs Manual (FAM) and, as appropriate, those notes in the Operating Instructions (OIs) of the Immigration and Naturalization Service. Although the Department and the INS are not publishing proposed rules on this matter simultaneously, the two agencies have indeed consulted on these proposed regulations. The INS will also be publishing separate proposed rules on this nonimmigrant visa classification. These regulations reflect changes in the interpretation of the B visa classification resulting from the enactment of the Immigration Act of 1990 ("IMMACT 90"), and the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 ("MATINA").

SUPPLEMENTARY INFORMATION: The Immigration Act of 1990 (Pub. L. 101–649, Nov. 29, 1990) with subsequent modification by MATINA (Pub. L. 102–232, Dec. 12, 1991) amended certain existing nonimmigrant visa classifications in the Immigration and Nationality Act of 1952, as amended ("INA"), and added several new ones. IMMACT 90 and Matina did not directly amend the INA's B visa classification (INA 101(a)(15)(B)), but certain changes to the H–1B visa classification (INA 101(a)(15)(H)(i)(b)) and creation of the new O, P, and R classifications by IMMACT 90 affect the interpretation of the B visa classification currently set forth in the FAM.

DATES: Written comments must be received in duplicate on or before September 24, 1993.

ADDRESSES: Interested persons are invited to submit comments in duplicate to: Chief, Division of Legislation and Regulations, Visa Office, Department of State, Washington, DC 20522–0113.

FOR FURTHER INFORMATION CONTACT: Stephen K. Fischel, Chief, Legislation and Regulations Division, Visa Office, (202) 663–1204.

INA 101(a)(15)(B)

The Department proposes to promulgate regulations to provide standards to administer to the most frequently used nonimmigrant visa classification, the B visa. The INA defines, in section 101(a)(15), the types of aliens who can be admitted as nonimmigrants in a number of identified classifications. Included among them is:

(B) An alien (other than one coming for the purpose of study or of performing skilled or unskilled labor or as a representative of foreign press, radio, film, or other foreign information media coming to engage in such vocation) having a residence in a foreign country which he has no intention of abandoning and who is visiting the United States temporarily for business or temporarily for pleasure.

Changes.

General

Neither IMMACT 1990 nor MATINA amended the language of section 101(a)(15)(B) of the INA. IMMACT 1990, however, made significant amendments to section 101(a)(15)(H)(i)(b) of the INA and created new classifications O, P, and R. Each of these changes has an impact on the B visa classification.

"R" Visa Classification

Section 209 of the IMMACT 1990 created a new nonimmigrant visa classification for ministers of religion and other religious workers. To the extent that this new classification includes religious activities that have been listed in the interpretive notes in the FAM under the B visa classification, these activities have not been included in this proposed regulation. Because Congress has enacted a specific nonimmigrant visa classification to address such religious activities, they should no longer fall within the purview of the B visa. However, there are a number of bona fide voluntary service programs that may or may not be related to religious organizations and that have activities that do not fit within the new "R" classification. Under the proposed regulation aliens involved in such programs will continue to be eligible for B visa classification.

"O" and "P" Visa Classifications

In contrast to the "R" provision, the nonimmigrant classifications "O" and "P" for athletes and entertainers found in section 207 of the IMMACT 1990 are not really "new"; they are lateral shifts of the athletes and entertainers previously classifiable under H–1. As with the H–1 classification, the O and P provisions presuppose a traditional employment relationship, or even an underlying contractual arrangement with an employer or agent in the United States, and require certain notable ability in their calling. Therefore, although all FAM notes relating to activities of professional athletes and entertainers had to be reconsidered in light of the O and P classifications, not all of the current FAM notes relating to professional athletes and entertainers have had to be dropped from this proposed rule as a result.

For example, by definition, not all professional athletes meet the statutory criteria for the O or P classification. Moreover, not all sports activities involve relationships between the athletes and the petitioners as contemplated by the O and P classifications. International sports events involving individual competitors, such as golf and tennis tournaments, etc., do not (at least in the United States) entail contractual agreements. More importantly, they rely upon participation not only by stars who could meet the level of ability standards under O and P but also by young would-be stars-in-the-making who do not yet have such stature. There is no evidence that the Congress intended to bar participation in U.S. competitions by such aliens. Moreover, such a bar could severely impact negatively upon not-yet-established American athletes who participate in similar events abroad. This rule, therefore, continues to provide B–1 classification for those athletes whose only "earnings" would be whatever they might win.

"H–1B" Visa Classification

Section 205 of IMMACT 90 amended the H–1B classification in these respects: (1) It imposed a numerical limitation on this classification for the first time; (2) it modified the standards from "distinguished merit and ability" to "speciality occupation"; and (3) it instituted a labor condition attestation requirement. These amendments have a direct impact on the Department's longstanding interpretation of the B–1 visa, which provided for the issuance of a B–1 visa in lieu of an H–1 visa if, among other conditions, the visa applicant, who must be H–1 qualified, is coming to perform H–1 services for which the alien will receive no salary or other remuneration from a U.S. source other than an expense allowance or other reimbursement for expenses incidental to the alien's temporary stay.

As a consequence of the amendments made by section 205, which clearly express Congress' intent to limit availability of the H–1B visa classification, the Department proposes to cease providing for the issuance of a B–1 visa in lieu of an H–1 visa.

Other Activities

With respect to other "visitors for business", it has been asserted that the Visa Office has, over the years, tended to use the B classification as a catch-all for aliens who do not fit in any other nonimmigrant classification but whose admissibility as nonimmigrants seemed within the general intent of Congress in distinguishing between immigrants and nonimmigrants. This argument has merit. As stated in the Summary, FAM notes have long set forth various criteria entitling an alien to B–1 or B–2 status. It is noteworthy, that the Senate Report (No. 1515) accompanying the 1952 Act cited a number of them and still current B–1 interpretations of that nature, including "an alien domestic servant accompanying his American or alien employer who is proceeding to the U.S. on a temporary visit * * *", etc., without any expressed disagreement as to their propriety. Consequently, such activities are included in the proposed regulation.

Analysis

To better understand the general principles of the visitor for business visa classification, it is useful if not necessary to look at the historical development of the two nonimmigrant classes, INA 101(a)(15)(B) and (H).

Aliens had, of course, been coming to the United States to buy or to sell products for many years before the imposition of numerical limits on immigrants (and the consequent necessity of distinguishing nonimmigrants from immigrants) in the early 1920's. The First Quota Act of 1921 did not directly identify nonimmigrants as such; rather, it exempted from the quota provisions various classes of aliens entering for temporary purposes who later became known as nonimmigrants, including visitors for business or pleasure. The Immigration Act of 1924 defined immigrants (as does the INA) as all aliens other than those in classes similar to those in the 1921 legislation, including, in section 3(2), the predecessor to INA 101(a)(15)(B), visitors for business and pleasure.

Over the years, administrative and judicial decisions interpreted the term "visitor for business" to mean essentially activities of a commercial nature, and to exclude any use of the classification for activities that might be construed as "local labor for hire." "The history of this legislation (the 1924 Act) points clearly to the conclusion that one of its great purposes was to protect American labor against the influx of foreign labor." (*Karnuth et al.* v. *United States ex rel. Albro.* 279 U.S. 231 (1929.)

Logic carried to its extreme might well hold that any business activity should be deemed to involve skilled or unskilled labor to some degree. A key factor in many early decisions (albeit not always so explicated) seemed to be whether such "labor" was for an employer in the United States in a capacity that should generally be deemed open to competition by United States workers. For example, in *Matter of Hira,* 11 I. & N. Dec. 824 (BIA 1965, 1966, A.G. 1966), it was found acceptable for a foreign tailor, employed on a regular salary basis by a tailoring firm abroad, to be in the United States in B–1 status to take orders and measure customers for clothes to be made in Hong Kong, whereas in the *Matter of M,* 2 I. & N. Dec 240 (BIA 1945), it was held not to be within the purview of the 3(2) business visitor provision for a Canadian to work in the U.S. under contract as a dancer. The Department believes that a key distinction is that it was reasonable for the foreign tailoring firm to prefer measurements taken by an employee accustomed to its tailoring practices but that the U.S. employer of the dancer could and should have sought an American or immigrant dancer. In *Hira* the alien's primary purpose for coming to the United States was to take orders for the sale of suits (the taking of measurements was incidental to that purpose), whereas in *Matter of M* the alien's primary purpose was to dance professionally, which constitutes in engaging in local labor for hire.

The category of visitor for business was carried over into the INA as section 101(a)(15)(B), as noted above. Senate Report No. 1515 (supra p. 525, cites *Karnuth et al* v. *United States & rel. Albro,* 279 U.S. 231, 1929) noted, "The term 'business' as used in the [predecessor] section includes not only intercourse of a commercial character but any other legitimate activity of a temporary nature classified within the ordinary meaning of the word 'business' but not classifiable as pleasure or labor." In addition to those carry-overs, however, the INA added a class (section 101(a)(15)(H)) designed to meet the needs of employers in the United States for temporary foreign workers. The H classification was subdivided between "aliens of distinguished merit and ability" (H–1), other skilled or unskilled aliens to perform work for which workers were not available in the U.S. labor market (H–2), and industrial trainees (H–3). In short, by retaining the B classification and adding the H classification for the benefit of U.S. employers, Congress in the INA retained the distinctions among alien workers, that had been developed in judicial and administrative decisions. Although all three H sub-categories required a petition approved by the INS to establish eligibility for the classification, a labor market test was required only for the H–2s.

In light of the absence of a labor market test for H–1 and H–3 aliens, the Department and the INS adopted as one of the benchmarks for B–1 classification "aliens otherwise classifiable as H–1 or H–3", provided the alien was to receive no remuneration other than for incidental expenses from a United States source. This "B–1 in lieu of H–1" characterization was apparently a careless use of language which has led to misinterpretation and occasional misuse over the years. By definition, an alien "classifiable as H–1 or H–3" would be one sought by an employer in the U.S. The intent of the Department's Note and INS' Operating Instruction, however, was clearly related to the characteristics of the aliens, i.e., the "distinguised merit and ability" and "training" elements, not to the source or location of employment, as manifested by the proviso as to the source of income.

The shorthand "otherwise classifiable as an H–1" language is clearly not only inaccurate but now inappropriate in light of IMMACT 90's imposition of a numerical limit on H–1Bs, the successor classification of the original H–1. The concept, however, of issuing visas in the B–1 classification to and admitting aliens who are not employed by an organization in the United States but rather are working for and drawing their income from a foreign firm, is still perfectly valid under straightforward B–1 visa standards, regardless of the fact that the aliens may also be of "distinguished merit and ability". The issue thus becomes one of clarifying permissible B–1 activities in an age in which "business" has become global and business practices have significantly changed from those of the 1920's.

It must be recognized, moreover, that commerce, and the related term "trade" in particular, have taken on an ever-expanding meaning in recent times. For example, several years ago the Visa Office and the INS incorporated various service activities (e.g., international banking, communications, etc.) in the

FAM Notes and OI's defining "trade" in connnection with the treaty trader visa classification under section 101(a)(15)(E) of the INA. Congress subsequently codified these changes in INA 101(a)(15)(E). This proposed rule thus provides for B–1 classification in some cases for aliens who are not necessarily engaged in activities directly affecting the exchange of goods from one country to another, provided such aliens cannot be deemed to be "engaged in local employment for hire."

It is also worth reiterating in this connection the quotation above from Senate Report No. 1515:

> The term "business" as used in the section includes not only intercourse of a commercial character *but any other legitimate activity of a temporary nature classified within the ordinary meaning of the word "business" but not classifiable as pleasure or labor."* (Emphasis supplied.)

Bearing in mind the intent of Congress to protect U.S. workers from undue or unfair competition, the perimeters drawn around acceptable B–1 activities in this proposed rule encompass the concepts of "business" as defined in Report No. 1515 above and of "labor for hire" as being circumstances in is which it is realistic to believe that a U.S. worker might have been hired had the alien not been admitted.

In Matter of Hira (cited above), affirmed by the Attorney General, the Board of Immigration Appeals found that a B–1 visa was appropriate given the following facts:

1. The alien's activity must involve intercourse of a commercial character;
2. The alien must have a clear intent to continue a foreign residence and not to abandon any exisiting domicile;
3. The alien's salary must come from abroad;
4. The principal place of business and the actual place of eventual accural of profits, at least predominantly, must remain in a foreign country, and;
5. The alien's stay in the United States must be temporary, although the business activity itself need not be, and indeed may long continue.

These are salient criteria and they underlie the proposed rule. It must be recognized, however, that there may be variations of these themes. For example, with respect to the first test, Senate Report 1515 propounded a broader view of a business visitor's activities than mere "intercourse of a commercial character" (page 525), and in *Matter of Neill* (15 I. & N. Dec. 331, May 16, 1975) the BIA held that "an alien need not be considered a 'businessman' to qualify as a business visitor, if the function he performs is a necessary incident to international trade or commerce." (page 333)

In light of the multiplicity of fact patterns in today's business world, the Department believes that it is not appropriate or possible to develop a definitive definition of "business" rather, to further the congressional two-fold intent not to impede international commerce and to protect the U.S. work force from unfair competition, a certain amount of judgment and common sense will have to be exercised on a case-by-case basis.

For example, the proposed rule still contains the requirement that the alien receive no salary or other remuneration (other than for incidental expenses) from a U.S. source. The rule, also, however, continues to include the gist of the current FAM Note according B–1 classification to an alien member of the Board of Directors of an American firm coming to attend a meeting of the Board. How can these be squared with each other when it is clear that such members are, in effect, employees of the firm and payment is routine for attendance at Board meetings? The answer lies in the concept "in which it is realistic to believe that a U.S. worker might have been hired had the alien not been admitted." If a U.S. firm has significant international activities and determines that the selection of one or more Board members from a country in which it carries on those activities would be in its corporate interest, it is highly unlikely that the non-admission of such foreign Board member(s) would prompt the election of additional U.S. Board members.

A useful contrast is provided by the two "Bricklayer" cases. A former FAM Note said, in effect, that if a U.S. company purchased equipment or similar products under a contract that called for follow-on installation, service, etc., employees of the seller foreign firm coming to perform the installation, service, or maintenance within the first year could be properly classified B–1. Everyone is familiar with "service" provisions in purchase contracts in daily life. One buys a refrigerator, washer-dryer, or whatever and gets a service warranty. If the product malfunctions, the person who comes to repair or service it is not one's employee but that of the seller. The FAM Note was predicated on analogous reasoning.

The arrangments in the "Bricklayer" cases differed in most particulars but they had two crucial elements in common. They called for "installation" and, in both cases, the foreign firms sent employees who engaged in actual construction activities that might have been performed by U.S. construction crews. Ultimately, it was agreed that, although it would be appropriate to admit one or more of the foreign firm's employees in B–1 status for the purpose of supervising the construction or for training U.S. workers, B–1 was not a permissible classification for actual construction workers. The Notes were promptly changed to accord with that decision. The proposed rule thus continues to contain a prohibition on the latter activity in B–1 status but permits that classification for supervisory and training personnel.

It is clear that other abuses of the B–1 classification have existed, perhaps due to imprecision in current FAM Notes and OIs, and must be eradicated. For example, a number of parties, ranging from individual citizens to labor and professional organizations to Members of Congress, have recently raised concerns about the use of persons hired by foreign firms solely for the purpose of fulfilling a contract to supply workers to an American firm. These "job shops" are reportedly becoming increasingly common in the computer industry in particular.

Theoretically the persons sent by the "job shops" meet most of the *Hira* criteria, e.g., an employer abroad who pays the salary, alien who maintains a residence abroad, etc. In fact, however, their functions in the U.S. are not "necessary incidents to international trade or commerce" inasmuch as the foreign firms are essentially employment agencies. Moreover, although (again in theory) their salaries were paid by the foreign firm, in practice the contracts have called for the U.S. firms using their services to pay the foreign firm a designated flat rate of dollars per hour for a designated number of hours of work. In practice, under the guise of a contract calling for "installation, service, maintenance, or repair," the job shops are providing personnel to perform software/hardware engineering, computer programming, and systems analysis on site.

A further consideration of *Neill*, cited above, is instructive in regard to this practice. Neill was a professional engineer and a principal in a firm that consulted on engineering problems and, at the time of the case, did 30% of its business in the United States. On his regular business trips to the United States, purportedly to solicit business, the majority of his time was spent consulting with clients and obtaining information from them—in short, rendering engineering services in the United States. The BIA said, *inter alia*,

Congress has sought to protect American workers from job competition of an undesirable nature * * *. This protection clearly extends to members of the profession * * *. The applicant appears to be in the process of extending his professional engineering practice to the United States. Although we would hesitate to call the applicant's services "ordinary labor for hire", he is regularly performing personal services in the United States independent of any other commercial activity. This he may attempt to do as an immigrant or via the nonimmigrant provisions of section 101(a)(15)(H) or of section 101(a)(15)(L) * * *. The applicant, however, may not establish a regular and continuing professional engineering practice in the United States as a temporary visitor for business.

To counter abuse such as described regarding job shops, the Department believes that the *Hira* criteria should be expanded to include the following with respect to according B–1 classification to aliens entering pursuant to purchases from abroad under contracts which include provisions for follow-on installation, service, maintenance or repair:

1. The purchase contract must involve a physical product, i.e., be for machinery or other forms of equipment, not for activities of a service nature;
2. The foreign firm that the alien is representing must be regularly engaged in business of a commercial nature;
3. There can be no direct correlation between the payment from the U.S. firm to the foreign firm for the contracted purchase (and potential service) and the salary(ies) of the alien(s) who may later install, service, or provide maintenance;
4. The foreign company must control all aspects of the B–1s activities, including (but not limited to) the alien's day-to-day activities and the location(s) in the U.S. where the alien will be performing the activities.

These tests, *Hira* and the Department's "after sales service" Notes, will provide sufficient guidance for most cases. If necessary, however when analyzing the employer-employee relationship and the question of who really controls the visa applicant employee, appropriate guidance can be gleaned from *Matter of Pozzoli,* 14 I&N Dec. 569, 1974, which relies on principles drawn from the Fair Labor Standards Act of 1938 in setting standards for immigration purposes, and from other relevant decisions.

Examples

The following examples illustrate how the Department would expect to apply the proposed regulations in light of these guidelines:

1. *Fact Pattern:* An international accounting firm with a business entity in the United States and a business entity overseas has international clients. In order to provide professional services, the business must be knowledgeable in the domestic law of various countries and of accounting procedures in many countries.

A. *Additional Facts:* The U.S.-based entity is preparing accounting papers for an international client. The project requires more workers than are currently available in the U.S. entity. Thus, the firm sends a foreign-based employee who is resident abroad, who intends to return abroad, and who draws his salary from the foreign-based entity to work on the project in the U.S. The project is supervised by the U.S. entity. The alien's work situation is controlled by the U.S.-based entity.

Analysis: The employee is not entitled to a B–1 visa, as he is engaged in local employment for hire. He is performing domestic service, as he is working for the U.S. entity.

B. *Alternate Additional Facts:* The U.S. entity has a contract with a foreign-based business. The foreign-based office of the accounting firm is preparing necessary documents on behalf of the U.S.-based entity. A foreign-based employee is coming to the U.S. to advise, consult, and educate the U.S.-based entity on the relevant foreign accounting principles and procedures of that project.

Analysis: The alien is employed abroad, accrual of profits of his activities are controlled by his employer abroad. The nature of his activities, conferring with business associates, is a classic B-1 activity. B–1 visa classification is appropriate.

2. *Fact Pattern:* A U.S.-based law firm performs legal services for business entities engaged in international commercial activities. The law firm needs to provide advice on foreign law to a client.

A. *Additional Facts:* The law firm engages a foreign-based law firm to provide legal advice to be used for their client. A foreign-based lawyer comes to the U.S. law firm to provide the necessary interpretation and engage in the necessary research of foreign law for the U.S. law firm. This research and analysis is done on the site of the U.S. entity with the resources available there.

Analysis: This constitutes a performance of domestic services. Although the foreign lawyer brings in skills and knowledge generally unavailable in the United States, he is performing service on site over which he is being supervised by the U.S.-based law firm. As direction and control over the alien's activities are given by the U.S. firm, the alien is working for the U.S. firm and is, thus, engaged in local labor for hire. The B–1 visa is inappropriate.

8. *Alternate Facts:* The U.S. law firm contracts with" a foreign-based law firm which prepares the necessary legal work abroad. The foreign lawyer comes to the U.S. to advise the U.S. law firm regarding the project.

Analysis: The alien is not engaged in local employment for hire. The foreign lawyer is presenting and explaining the foreign work product to the U.S. customer. B–1 is the appropriate classification.

3. *Fact Pattern:* A U.S.-based entity contracts with a foreign based entity to develop a computer software package that the U.S. entity plans to use for expansion into overseas markets.

A. *Additional Facts:* The foreign-based programming outfit sends several computer programmers to the U.S. entity's site to prepare the software package. The U.S. entity provides the equipment, pays some of the per diem expenses of the foreign programmers, and oversees the production.

Analysis: These programmers are not entitled to B–1 visa classification. They are working for the U.S. entity in producing the contracted product. The U.S. entity is controlling/supervising the aliens' work. Thus they are engaging in local labor for hire.

B. *Alternate Additional Facts:* The foreign-based programmers visit the U.S. entity's work site in the U.S. to obtain the necessary information to develop the program. They return to their foreign-based work place and prepare the software.

Analysis: They are entitled to B–1 visa classification. None of their work product is produced in the U.S. Information gathering is a necessary activity to perform the contracted task. It, at least in this case, does not involve local labor for hire.

Visitors for Pleasure

The FAM Notes pertaining to B–2's have similarly been incorporated into the proposed rule. They are not described herein, however, inasmuch as it has not been necessary to change them in response to legislative enactments.

Proposed Rule

This rule is not considered to be a major rule for purposes of E.O. 12291 nor is it expected to have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. This proposed rule imposes no reporting or record keeping requirements on the public requiring the approval of the

Office of Management and Budget under the Paperwork Reduction Act requirements.

This rule has been reviewed as required by E.O. 12778 and certified to be in compliance therewith. The Department believes the retroactive application of the B–1 visa rules does not arise within the context of this proposed regulation. At the time of promulgation of the final rule, the Department will explore with the INS any aspect of retroactive applicability of the final rule and will seek to establish any appropriate measures.

List of Subjects in 22 CFR Part 41

Aliens, Nonimmigrants, Temporary visitors.

In view of the legislative changes made to the INA by IMMACT 90 and MATINA, part 41 to title 22, Code of Federal Regulations, would be amended as follows.

PART 41—[AMENDED]

1. The authority citation for part 41 is revised to read:

Authority: 8 U.S.C. 1104; 8 U.S.C. 1101(a)(15).

2. Section 41.31 to part 41 would be revised to read as follows:

§ 41.31 Temporary visitors for business or pleasure.

(a) *General classification.* An alien is classifiable as a nonimmigrant visitor for business (B–1) or pleasure (B–2) if the consular officer is satisfied that the alien qualifies under the provisions of INA 101(a)(15)(B), and that:

(1) The alien intends to leave the United States at the end of the temporary stay, and if applicable, has paid any such bond as shall be required by the consular officer to be posted with the Attorney General to ensure the alien's departure;

(2) The alien has permission to enter a foreign country at the end of the temporary stay; and

(3) Adequate financial arrangements have been made to enable the alien to carry out the purpose of the visit to, and departure from, the United States.

(b) *Classification as a visitor for business.* An alien is classifiable as a nonimmigrant visitor for business if the consular officer is satisfied that the alien qualifies under paragraph (a) of this section, and that:

(1) The alien's principal place of business and the actual place of eventual accrual of profits, at least predominantly, are in a foreign country; and

(2) Although the business activities need not be temporary, the alien's various entries into the United States made in the course of such business will be individually of a plainly temporary nature.

(c) *Business.* The term "business", as used in INA 101(a)(15)(B), refers to legitimate activities of a commercial or professional nature or other legitimate activities of a temporary nature falling within the ordinary meaning of the word "business." It does not include local employment or labor for hire.

(d) *Local employment or labor for hire.* Local employment or labor for hire generally includes engaging in any employment activity that is domestic in nature in a position which is generally filled on a competitive basis within the U.S. domestic labor market. Local employment or labor for hire includes building or construction work, whether on-site or in plant, but does not ordinarily include the supervision or training of others engaged in building or construction work.

(e) *Principal place of business and the actual place of eventual accrual of profits.* The principal place of a person's business and the actual place of eventual accrual of profits is ordinarily the location in which and from which the alien conducts his/her main business activities and from which the alien draws his/her salary.

(f) *Activities of a commercial nature.* Activities of a commercial nature include:

(1) Engaging in commercial transactions (i.e., buying or selling) that do not involve gainful employment with an employer in the United States;

(2) Negotiating contracts;

(3) Consulting with business associates, including attending meetings of the Board of Directors of a U.S. corporation;

(g) *Activities of a professional nature.* Activities of a professional nature include:

(1) Engaging in litigation, including consultation or research but not practicing before a State Bar;

(2) Participating in scientific, educational, professional or business conventions, conferences, or seminars;

(3) Undertaking independent research;

(4) Engaging in activities that would be classifiable under H–3 except that there is no U.S. employer involved, and the alien is:

(i) A foreign medical school student who is coming to take an "elective clerkship" (practical experience and instruction in the various disciplines of the practice of medicine under the supervision and direction of faculty physicians) at a U.S. medical school's hospital, without remuneration from the hospital, as an approved part of the foreign medical school education; or

(ii) Undertaking training at the behest of a foreign employer by whom the alien is already employed abroad and from whom the alien will continue to receive his or her salary while in training in the United States.

(h) *Other examples of legitimate business activities.* An alien qualified under paragraph (a) of this section may be issued a B–1 visa to engage in activities such as the following:

(1) A commercial or industrial worker may install, service, or repair commercial or industrial equipment or machinery, or software products purchased from a company outside the United States, or train U.S. workers to perform such services, provided:

(i) That a contract of sale with the foreign seller has specifically required the seller to provide such services or training;

(ii) The alien possesses knowledge essential to the seller's contractual obligation to perform the services or training;

(iii) The purchase contract is principally for the purchase of a physical product, i.e., machinery or other forms of equipment and is not principally a contract for activities of a service nature;

(iv) The foreign firm that the alien is representing is regularly engaged in business of a commercial nature;

(v) There is no direct correlation between the payment from the U.S. firm to the foreign firm for the contracted purchase (and potential service) and the salary of the alien;

(vi) The alien will receive no remuneration from a U.S. source; and

(vii) The foreign company controls all employment-related aspects of the alien's day-to-day activities and the location(s) in the U.S. where the alien performs the activities.

This provision does not include an alien seeking to enter to perform building or construction work, whether on-site or in-plant, but an alien may be classified as a B–1 for the purpose of supervision or training of U.S. workers engaged in building or construction work in pursuance of such a contract.

(2) A professional athlete, such as a golfer or tennis player, who has no contractual arrangement with a U.S. sponsor may participate in a tournament or other similar sports activity, provided he or she receives no salary or payment other then prize money for such participation.

(3) An alien athlete or team member may perform if he or she meets all of the following criteria:

(i) The alien athlete seeks to enter the United States as a member of a foreign-based team in order to compete against another sports team;

(ii) The foreign sports team and the alien athlete have their principal place of business or activity in a foreign country;

(iii) The income of the foreign based team and the salary of its players are principally accrued in a foreign country; and

(iv) The foreign based sports team is a member of an international sports league or the sporting activities involved have an international dimension.

(4) An amateur teams sports player in response to an invitation from a professional team may participate in brief try-outs during the course of the regular professional season or playoff. Among other conditions the teams may provide only for such expenses such as round-trip fare, hotel room, meals, and other try-out transportation costs.

(5) Officials of international sports leagues or associations may officiate at international competitions provided that:

(i) The officials are coming temporarily to the United States on league/association business for short periods of time to render services to their foreign employer;

(ii) The officials are paid by their foreign employer and will receive only incidental expenses while in the United States;

(iii) The profits from the officials' services accrue outside the United States;

(iv) The officials' principal place of business is outside the United States; and

(v) The officials are not displacing any U.S. workers or engaging in skilled or unskilled labor in the United States.

(6) A professional entertainer may come to the United States to perform provided that:

(i) He or she will perform only in a cultural program sponsored by the sending country: Will perform before a nonpaying audience; and will have all expenses, including per diem, paid by the entertainer's government; or

(ii) He or she will perform in a competition for which there is no remuneration other than a prize (monetary or otherwise) and expenses.

(7) An alien entertainer may audition his or her act or take part in try-outs solely for the purpose of negotiating an employment contract with the prospective employer. An alien who has been invited by a prospective employer in the United States solely for an interview, try-out, or audition may receive incidental expenses while in the United States. The alien, however, may not perform temporary services for a United States employer on a trial basis.

(8) An alien may work as a crewman of a private yacht, regardless of the nationality of the private yacht, which will be sailing out of a foreign home port and cruising in U.S. waters for more than twenty-nine days;

(9) An alien may perform his or her responsibilities as a "coasting officer";

(10) An alien may investigate opportunities which might qualify the alien for status as an E–2 investor, provided, however, that such alien may not perform productive labor or actively participate in the management of a business while in B–1 visa status.

(11) An alien may perform services pursuant to the Outer Continental Shelf Lands Act Amendments of 1978 (OCSLA) as specified in 33 CFR part 141 (Coast Guard's regulations).

(12) A personal or domestic servant may accompany or follow to join his or her U.S. citizen employer who has a permanent home or is stationed in a foreign country and who is visiting the United States temporarily, provided the employer-employee relationship existed prior to the commencement of the employer's visit to the United States.

(13) A personal or domestic servant may accompany or follow to join his or her U.S. citizen employer to perform personal or domestic services, provided that the servant can establish, through personnel records and statements from the U.S. citizen's employer, that:

(i) The U.S. citizen employer is subject to frequent international transfers lasting two years or more as a condition of employment, and that the citizen is returning to the United States as a result of such a transfer;

(ii) The U.S. citizen employer's is current assignment in the United States, if any, will be for not more than four years;

(iii) The U.S. citizen employer has employed the servant abroad for at least six months prior to admission into the United States;

(iv) The servant will reside in the U.S. citizen employer's household and will be provided a private room and board without cost to the servant;

(v) The servant will work only for the U.S. citizen employer; and

(vi) The U.S. citizen employer and servant have signed a contract (a copy of which must be made available to the consular officer) that guarantees that the servant will receive at least the prevailing wage for domestics in the area of employment; that all other benefits normally given to U.S. workers in the area of employment will be granted to the servant; that round-trip airfare will be provided to the servant; that the servant will not be required to give more that two weeks notice of intent to leave the employment; and that the U.S. citizen employer will give at least two weeks notice of intent to terminate the employment; and

(vii) There is a good faith intent on the part of each party that the alien will depart the United States in the event of the termination of the employment or the citizen's reassignment abroad.

(14) A personal or domestic servant may accompany or follow to join his or her foreign employer who seeks admission to, or is already in, the United States in B, E, F, H, I, J, L, M, O, P, and R nonimmigrant status to perform personal or domestic services, provided;

(i) The servant can show that he or she has a residence abroad that he or she does not intend to abandon (whether or not the employer is in a nonimmigrant status which does not require such a showing); and

(ii) The servant has been employed abroad by the employer as a personal or domestic household employee for at least one year prior to the date of the employer's admission to the United States; or,

(iii) An employer-employee relationship has existed prior to the time of application; the employer can demonstrate that he or she has regularly employed (either year-round or seasonally) a personal or domestic servant over a period of three years immediately preceding the time of application and the employee can demonstrate at least one year's prior experience as a personal or domestic servant;

(15) An employee of a foreign airline engaged in international transporation of passengers and freight, who is not otherwise entitled to classification under INA 101(a)(15) (E) or (L), may perform employment responsibilities with the airline in an executive, supervisory, or highly technical capacity;

(16) An alien may temporarily perform services for his or her foreign employer as a jockey, sulkey driver, trainer, or groom. The alien may not work in the United States for any other foreign or United States employer after entry in B–1 status for this purpose;

(17) An alien may open or be employed in a new branch, subsidiary, or affiliate of a foreign employer in a capacity that, will qualify the employee for an L–1 status upon proof of the acquisition of physical premises;

(18) An employee of a foreign airline may come to the United States to pick

up an aircraft if the employee is not transiting the United States and is not admissible as a crewman;

(19) An alien may observe the conduct of business or other professional or vocational activity provided the alien pays for his or her own expenses and does not engage in employment;

(20) An alien may, pursuant to invitation, participate in any program furnishing technical information and assistance under section 635(f) of the Foreign Assistance Act of 1961, 75 Stat. 424;

(21) An alien may, pursuant to invitation, participate in the training of Peace Corps volunteers or may come to the United States under contract pursuant to sections 9 and 20(a)(4) of the Peace Corps Act (75 Stat. 612), unless the alien qualifies for "A" visa classification;

(22) An alien who is not an employee of a foreign government may participate in the United Nations Institute for Training and Research (UNITAT) internship program;

(23) An alien may come to the United States as an employee of a foreign exhibitor at an international fair or exposition if he or she does not qualify for "A" visa classification as a foreign government representative.

(24) An alien may participate in a voluntary service program benefiting U.S. local communities, provided that no salary or remuneration will be paid the alien from a U.S. source, other than an allowance or other reinbursement for expenses incidental to the volunteers' stay in the United States. For these purposes, a "voluntary service program" is an organized project conducted by a recognized nonprofit charitable organization to provide assistance to the poor or the needy or to further a charitable cause. The program may not, however, involve the selling of articles and/or the solicitation and acceptance of donations.

(i) *Classification as a visitor for pleasure.* An alien is classifiable as a nonimmigrant visitor for pleasure if the consular officer is satisfied that the alien qualifies under paragraph (a) of this section and is entering the United States temporarily to engage in activities for pleasure which do not involve skilled or unskilled labor for pay in the United States, nor full time academic or vocational schooling, nor information media activities.

(j) *Legitimate activities of pleasure.* The term "pleasure", as used in INA 101(a)(15)(B), refers to legitimate activities of a recreational character, including tourism, amusement, visits with friends or relatives, rest, medical treatment, and activities of a fraternal, social, or service nature. Legitimate activities of pleasure include:

(1) Coming to the United States primarily for tourism, even if, also, incidentally engaging in a short course of study;

(2) Engaging as an amateur in an amateur entertainment or athletic activity, even if the incidental expenses associated with the visit are reimbursed.

(3) Accompanying a principal alien who is a:

(i) Dependent of an alien member of any branch of the U.S. Armed Forces temporarily assigned for duty in the United States;

(ii) Dependent of a crewman classified under INA 101(a)(15)(D);

(iii) Dependent of a U.S. citizen or resident alien coming temporarily to the United States;

(iv) Dependent of a nonimmigrant principal alien who is not entitled to derivative status of that principal alien;

(4) Coming to marry with the intent to return to a residence abroad soon after the marriage;

(5) Coming to the United States to meet the alien's fiance(e)'s family; to become engaged; to make arrangements for a wedding; or to renew a relationship with the prospective spouse.

(6) Coming, as a spouse married by proxy to an alien in the United States in a nonimmigrant status, to the United States to join the spouse. (Upon arrival in the United States the joining spouse must apply to the INS for permission to change to the appropriate derivative status after consummation of the marriage.)

(7) Seeking to enter the United States to take advantage of such benefits under INA 329 to which the alien is entitled irrespective of the foreign residence abroad requirement of INA (101)(a)(15)(B).

(8) Accompanying the spouse or parent on the service member's assignment to the United States as an alien dependent of an alien member of the U.S. Armed Forces who qualifies for naturalization under INA 328.

(9) Attending a school which is a vocational or recreational in character, if the purpose of attendance is recreational or avocational.

(10) Seeking to enter the United States in emergent circumstances, when the alien is otherwise entitled to lawful permanent resident status;

(k) *Authority to Issue Combined B–1/B–2 Visas and Fee to be Collected.* (1) Consular officers may issue combined B–1/B–2 visas to qualified applicants who are frequent or periodic visitors and whose principal purpose for visiting the United States at various times falls within the B–1 or B–2 visa classification.

(2) When the fee prescribed in the appropriate schedule is not the same for each classification, the higher of the two fees shall be collected.

Dated: July 21, 1993.

Mary A. Ryan,

Assistant Secretary, Consular Affairs.

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CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, stock numbers, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

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Title	Stock Number	Price	Revision Date
1, 2 (2 Reserved)	(869-019-00001-1)	$15.00	Jan. 1, 1993
3 (1992 Compilation and Parts 100 and 101)	(869-019-00002-0)	17.00	[1] Jan. 1, 1993
4	(869-019-00003-8)	5.50	Jan. 1, 1993
5 Parts:			
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700-1199	(869-019-00005-4)	17.00	Jan. 1, 1993
1200-End, 6 (6 Reserved)	(869-019-00006-2)	21.00	Jan. 1, 1993
7 Parts:			
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27-45	(869-019-00008-9)	13.00	Jan. 1, 1993
46-51	(869-019-00009-7)	20.00	Jan. 1, 1993
52	(869-019-00010-1)	28.00	Jan. 1, 1993
53-209	(869-019-00011-9)	21.00	Jan. 1, 1993
210-299	(869-019-00012-7)	30.00	Jan. 1, 1993
300-399	(869-019-00013-5)	15.00	Jan. 1, 1993
400-699	(869-019-00014-3)	17.00	Jan. 1, 1993
700-899	(869-019-00015-1)	21.00	Jan. 1, 1993
900-999	(869-019-00016-0)	33.00	Jan. 1, 1993
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1060-1119	(869-019-00018-6)	13.00	Jan. 1, 1993
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[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[4] No amendments to this volume were promulgated during the period Apr. 1, 1990 to Mar. 31, 1993. The CFR volume issued April 1, 1990, should be retained.

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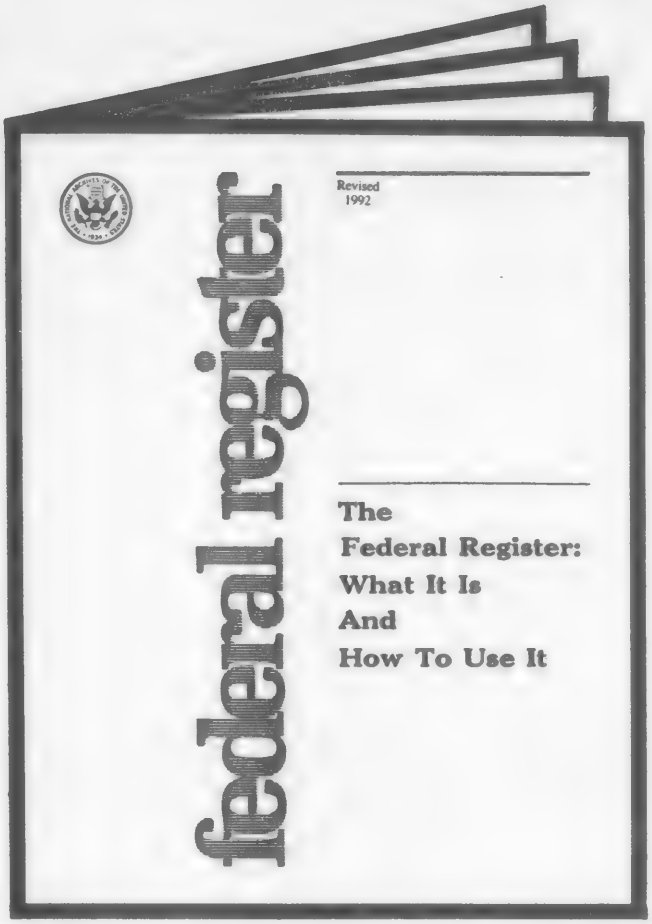

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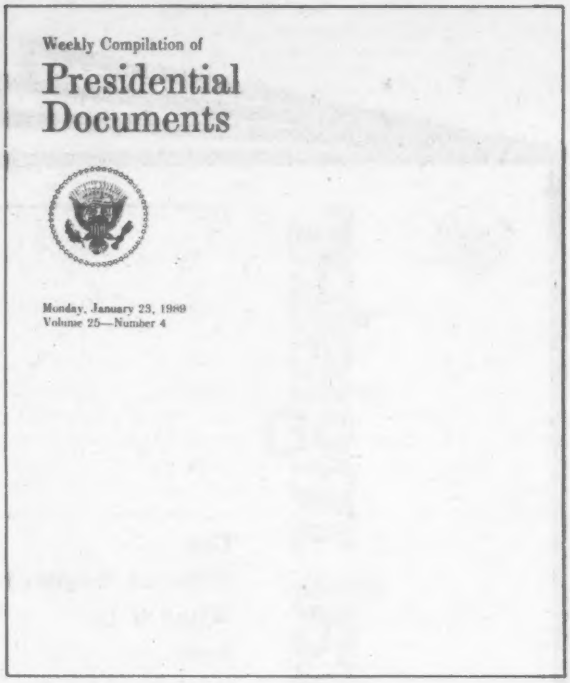

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